

TAMIL NADU ELECTRICITY REGULATORY COMMISSION

(Constituted under Section 82 (1) of the Electricity Act 2003
Central Act 36 of 2003)

PRESENT:-

Thiru.S.Kabilan ... **Chairman**

Thiru.K.Venugopal **Member**

and

Thiru.S.Nagalsamy **Member**

D.R.P. No. 1 of 2011

1. M/s. Walden Properties (P) Ltd.
No.1009, Indu Fortune Field ,13th Phase
KPHB Colony, Hyderabad – 500 072.
2. Aster Teleservices Private Ltd
1st Floor, C-31, Rukmini Puri Colony
Dr. A S Rao Nagar, Hyderabad – 500 062.
3. Sri Rayalaseema Hi Strength Hypo Ltd.
216, K.J.S. Complex, Bhagya Nagar
Kurnool – 518 004.
4. Sri Swarna Green Power
House No. 8-2-293/82/J/A/118
Journalist Colony, Opp. Syndicate Bank
Jubli Hills, Hyderabad – 500 033.
5. K.S. Oils Ltd
808, New Delhi House
Barakambha Road, New Delhi – 110 001. **Petitioners**
(Thiru.Rana S Biswas, Advocate for Petitioners)

Vs.

The Tamil Nadu Electricity Board
144, Anna Salai
Chennai – 600 002.

.... **Respondent**

Date of hearing : 2-3-2011

Date of Order : 2-3-2011

The above petition came up for admission before the Commission on **2-3-2011**. Thiru. Rana S. Biswas, advocate appeared for the petitioners. The petitioners prayed to direct the respondent/TNEB to release payment against the outstanding dues along with the applicable interest for the power supplied by them to the Board. Further, it was prayed to impose penalty on the respondent under section 142 of the Electricity Act, 2003 for contravention of various directions of the Commission under its orders and regulations. When the matter was taken up for admission the petitioners could not pin point any violation that could be taken cognizance of by the Commission under section 142 of the Electricity Act, 2003. The petitioners could only submit that the respondent did not pay the energy charges as per the agreements. The Commission after hearing the petitioners and upon perusing connected records passes the following:-

ORDER

The petitioners M/s. Walden Properties (P) Ltd., M/s.Aster Teleservices (P) Ltd.,M/s. Sri Rayalaseema Hi-Strength Hypo Ltd., M/s. Sri Swarna Green Power. M/s. K.S.Oil Ltd., have moved the Commission for directing the TNEB to release payments against the outstanding dues along with applicable interest on delayed payment with immediate effect. Interest is admissible for delayed

payment as per Order No.3 of 2006 and Order No.1 of 2009. They can claim interest for delayed payment. If the payment itself is delayed by the TNEB, there is no power with the Commission to force TNEB to make payment. The petitioners are at liberty to move the Commission for violation of orders of the Commission if interest is not paid along with the principal.

As regards the second prayer for imposition of penalty under section 142, the petitioners should bring out clearly the violation of the TNEB of the orders or regulations of the Commission. A general statement that the Commission should invoke powers under section 142 for contravention of various directions of the Commission will not be proper. The petition is dismissed.

(Sd.....)
(S. Nagalsamy)
Member

(Sd.....)
(K.Venugopal)
Member

(Sd.....)
(S.Kabilan)
Chairman

/ True Copy /

Secretary
Tamil Nadu Electricity
Regulatory Commission