



THE 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 B. Jeyaraman - Member
and
Thiru R. Rajupandi - Member

D.R.P. No. 23 of 2008

M/s.Arkey Energy (Rameswaram) Limited
Rep.by its Chairman & M.D. & Mr.T.S.Das
Registered Office: Plot No.30A, Road No.1
Film Nagar, Jubilee Hills
Hyderabad 500 037

..... Petitioner

Vs.

1. The Chairman
Tamil Nadu Electricity Board
No.144, Anna salai, Chennai-2
2. The Member (Generation)
Tamil Nadu Electricity Board
No.144, Anna Salai, Chennai-2
3. The Chief Engineer / PPP
Tamil Nadu Electricity Board
No.144, Anna salai, Chennai-2
4. The Chief Engineer / Operation
Tamil Nadu Electricity Board
No.144, Anna salai, Chennai-2
5. The Superintending Engineer
Ramnad Elec'y.Distrn.Circle
Ramnad

... Respondents.

The above DRP No.23 of 2008 came up for final hearing on the 1st April 2009. The Commission upon perusing the above petition and other connected records and upon hearing both sides passes the following:

ORDER DATED 1ST APRIL 2009

1. Prayer of the petitioner

The prayer of the petitioner is to issue necessary direction to the respondent board to purchase the power which is proposed to be sold to the M/s.PTC India Limited for which consent/concurrence has been given by the respondent Board, at the rate of Rs.9.20/- till the open access for trading 40 MW is implemented.

2. Contention of the Respondent Board

In the counter-affidavit filed by the Respondent Board, it has been contended that in view of the Hon'ble High Court order in MP.No.1 of 2008 and in WP.No.26411/2008, the above DRP is not maintainable as the same is premature and as on date there is no order with regard to open access.

3. Conclusion

The petitioner is directed to file a fresh petition up-dating the events since the filing of the said DRP No.23 of 2008.

With the above direction, DRP No.23 of 2008 is finally disposed of. No costs.

(Sd.....)
(R. RAJUPANDI)
Member

(Sd.....)
(B.JEYARAMAN)
Member

(Sd.....)
(S.KABILAN)
Chairman

/ True copy /

Secretary
Tamil Nadu Electricity
Regulatory Commission