IN THE HIGH COURT OF JUDICATURE AT MADRAS

ORDERS RESERVED ON : 23.08.2021

PRONOUNCING ORDERS ON : 27.08.2021

CORAM

THE HONOURABLE JUSTICE MR.N.ANAND VENKATESH

W.P.Nos.26266,26553,26554,27269,28093,28443,
27324,27325,27326, 27807, 27808,27841,28374,
28438,28440,28451,28885,28886,28952,30433,
30502,30629,30630,31160,33026,33113,33151,
33150,33210,33115,33116,33117,33119,33118,
33114,34739,35041,35042 of 2013
and
848,869,4924,14037,14952 272, 6382, 17057 of 2014
and
3522 of 2017
and
MP Nos.3,3,3,3,3,3,3,3,3,3,4,4,4,4,4,4,4,4,4,4,
5,5,5,5,5,5,5 of 2013

M/S.A.R.S.METALS LTD
POWER DIVISION H.T.SC. NO.1984 D-109 2ND
FLOOR LBR COMPLEX ANNA NAGAR EAST
CHENNAI-102
REP. BY ITS DEPUTY DIRECTOR N.PRABU
... PETITIONER in WP No.26266 of 2013

BIOMAS POWER PRODUCERS ASSOC.
TAMILNADU REGISTRATION NO.186 OF 2006
SIGAPI ACHI BUILDING 4TH FLOOR
NO.18/3 RUKMANI LAKSHMIPATHI SALAI EGMORE
CHENNAI-8 ... PETITIONER in WP No.26553 of 2013

M/S.CAUVERY POWER GENERATION
CHENNAI PVT. LTD. NO.5 RANGANATHAN GARDENS
ANNA NAGAR CHENNAI-40
REP.BY ITS DIRECTOR ... PETITIONER in WP No.26554 of 2013

SURYADEV ALLOYS AND POWER
PVT. LTD. 497 & 498 8TH FLOOR ISANA
BUILDING POONAMALEE HINGH ROAD ARUMBAKKAM
CHENNAI-106
... PETITIONER in WP No.27269 of 2013

OPG RENEWABLE ENERGY
PRIVATE LTD. NO.167 ST. MARYS ROAD
ALWARPET CHENNAI-18
... PETITIONER in WP No.28093 of 2013

OPG POWER GENERATION
PRIVATE LIMITED UNIT 1 NO.167 ST. MARYS
ROAD ALWARPET CHENNAI 18
... PETITIONER in WP No.28443 of 2013

SREE RENGARAJ ISPAT INDUSTRIES
PVT. LTD. NO.99 SANKAGIRI MAIN ROAD
NETHIMEDU SALEM-636 002
... PETITIONER in WP No.27324 of 2013

SREE RENGARAJ ISPAT INDUSTRIES
PVT. LTD. NO.99 SANKAGIRI MAIN ROAD
NETHIMEDU SALEM-636 002
... PETITIONER in WP No.27325 of 2013

BHATIA COKE & ENERGY LTD.
BCC HOUSE 8/5 MANORAMA GANJ NAVRATHAN
BAGH MAIN ROAD
INDORE MADHYA PRADESH, INDIA

... PETITIONER in WP No.27326 of 2013

CHETTINAD CEMENT CORPORATION LTD.
RANI SEETHAI HALL NO.603
ANNA SALAI CHENNAI-6
... PETITIONER in WP No.27807 of 2013

CHETTINAD CEMENT
CORPORATION LTD. RANI SEETHAI HALL NO.603
ANNA SALAI CHENNAI-6
... PETITIONER in WP No.27808 of 2013

CHETTINAD CEMENT CORPORATION LTD.
RANI SEETHAI HALL NO.603 ANNA SALAI
CHENNAI-6
... PETITIONER in WP No.27841 of 2013

M/S.TULSYAN NEC LTD.
SC.NO.1981 NO.17 SITHOORNATHAM VILLAGE
GUMMIDIPOONDI TALUK
TIRUVALLUR DISTRICT 601 201
REP.BY ITS EXECUTIVE V.RAJENDRAN

... PETITIONER in WP No.28374 of 2013

RAJSHREE SUGARS AND
CHEMICALS LIMITED REP BY ASSOCIATE VICE
PRESIDENT HT SC 06 MUNDIYAMPAKKAM POST
CHENNAI MAIN ROAD VILLUPURAM 605 601

... PETITIONER in WP No.28438 of 2013

RAJSHREE SUGARS AND
CHEMICALS LIMITED REP BY ITS AUTHORIZED
SIGNATORY HT SC NO. 59 SEMMEDU & POST
GINGEE TALUK VILLUPURAM

... PETITIONER in WP No.28440 of 2013

SESA STERLITE LTD. FORMERLY
STERLITE INDUSTRIES (INDIA) LTD. UNIT :
STERLITE COPPER SIPCOT INDUSTRIAL COMPLEX
MADURAI BY PASS ROAD TV PURAM PO.
THOOTHUKUDI TAMILNADU

... PETITIONER in WP No.28451 of 2013

M/S.KAMACHI SPONGE & POWER
CORPORATION LTD. (H.T.NO.1988) REP.BY ITS
DIRECTOR VINOD KOTHARI NO.39 ANNA SALAI
CHENNAI-2

... PETITIONER in WP No.28885 of 2013

M/S.KAMACHI SPONGE & POWER
CORPORATION LTD. (H.T.NO.1988) REP.BY ITS
DIRECTOR VINOD KOTHARI NO.39 ANNA SALAI
CHENNAI-2

... PETITIONER in WP No.28886 of 2013

TCP LTD REP. BY ITS EXECUTIVE
DIRECTOR V.RAJASEKARAN TCP SAPTHAGIRI
BHAVAN NO.4(OLD NO.10) KARPAGAMBAL NAGAR
MYLAPORE CHENNAI-4.

... PETITIONER in WP No.28952 of 2013

M/S.RAGHURAMA RENEWABLE
ENERGY LTD. SC.NO.059094600029 PAMBOOR VI
PARAMAKUDI 623 707 REP.BY ITS PRESIDENT
(COMMERCIAL AND LEGAL) R.JARARD KISHORE

... PETITIONER in WP No.30433 of 2013

RAJSHREE SUGARS AND CHEMICALS
LIMITED HTSC 41 VARADARAJ NAGAR VAIGAI
DAM THENI DISTRICT

... PETITIONER in WP No.30502 of 2013

M/S.DHARANI SUGARS &
CHEMICALS PVT. LTD. KARAIPOONDI VILLAGE
POLUR TALUK THIRUVANNAMALAI DISTRICT
... PETITIONER in WP No.30629 of 2013

M/S.DHARANI SUGARS &
CHEMICALS LTD. KALAYANALLUR VILLAGE
PALLAGACHERRY & POST SANKARAPURAM TK.
VILLUPURAM DT. REP. BY ITS DIRECTOR A.
SENNIMALAI ... PETITIONER in WP No.30630 of 2013

MADRAS SUGARS LTD
REP. BY ITS VICE PRESIDENT A.R.PALANISAMY
SF NO.295 VENGUR VILLAGE TIRUKOILUR TALUK
VILLUPURAM DISTRICT.
... PETITIONER in WP No.31160 of 2013

M/S.RAGHURAMA RENEWABLE
ENERGY LTD. SC.NO.059094600029 PAMBOOR
VILLAGE PARAMAKUDI TK. RAMNAD DT. REP. BY
ITS PRESIDENT (COMMERCIAL & LEGAL) MR.R.
JARARD KISHORE
... PETITIONER in WP No.33026 of 2013

M/S.KOTHARI SUGARS AND
CHEMICALS LTD. SATHAMANGALAM VILLAGE
VETRIYUR POST ARIYALUR TK & DT TAMILNADU
... PETITIONER in WP No.33113 of 2013

EIDPARRY (INDIA) LTD.
DARE HOUSE 234 NSC BOSE ROAD PARRYS
CORNER CHENNAI-1
... PETITIONER in WP No.33151 of 2013

EID PARRY (INDIA) LIMITED
DARE HOUSE 234 NSC BOSE ROAD PARRYS
CORNER CHENNAI 1
... PETITIONER in WP No.33150 of 2013

EID PARRY (INDIA) LIMITED
DARE HOUSE 234 NSC BOSE ROAD PARRYS
CORNER CHENNAI 1
... PETITIONER in WP No.33210 of 2013

TERRA ENERGY LTD. NO.112
ELDORADO NUNGAMBAKKAM HIGH ROAD CHENNAI-34

... PETITIONER in WP No.33115 of 2013

TERRA ENERGY LIMITED
NO.112 ELDORADO NUNGAMBAKKAM HIGH ROAD
CHENNAI 34 ... PETITIONER in WP No.33116 of 2013

SHREE AMBIKA SUGARS LTD.
NO.112 ELDORADO NUNGAMBAKKAM HIGH ROAD
CHENNAI-34 ... PETITIONER in WP No.33117 of 2013

SAKTHI SUGARS LTD.
JOTHINAGAR PADAMATHUR BO SIVAGANGA TALUK
& DISTRICT 630 561 ... PETITIONER in WP No.33119 of 2013

SHREE AMBIKA SUGARS LIMITED
NO.112 ELDORADO NUNGAMBAKKAM HIGH ROAD
CHENNAI 34 FORMERLY KNOWN AS AURO ENERGY LTD
... PETITIONER in WP No.33118 of 2013

M/S.KOTHARI SUGARS AND
CHEMICALS LTD. KATTUR LALGUDY (TK) TRICHY
DISTRICT TIRUCHIRAPALLI 621 706
... PETITIONER in WP No.33114 of 2013

KAVERI GAS POWER LTD.
5 RANGANATHAN GARDENS ANNA NAGAR
CHENNAI- 40 ... PETITIONER in WP No.34739 of 2013

MMS STEELO & POWER PRIVATE
LTD. 17/2D ONGC ROAD NARIMANAM
NAGAPATTINAM DISTRICT
... PETITIONER in WP No.35041 of 2013

MMS STEEL & POWER PRIVATE
LTD. 17/2D ONGC ROAD NARIMANAM
NAGAPATTINAM DISTRICT
... PETITIONER in WP No.35042 of 2013

SAKTHI SUGARS LIMITED
APPAKUDAL SAKTHI NAGAR
APPAKUDAL-638 315.
... PETITIONER in WP No.848 of 2014

SAKTHI SUGARS LIMITED
REP. BY ITS AUTHORIZED SIGNATORY POONDURAI
SEMUR VILLAGE AVAL POONDURAI VIA
ERODE-638 115. ... PETITIONER in WP No.869 of 2014

M/S.CHEMPLAST SANMAR LTD.
PLANT III HTSC NO.23 RAMAN NAGAR (PO)
METTUR DAM 636 403 REP. BY ITS
GENERAL MANAGER (LEGAL)
... PETITIONER in WP No.14037 of 2014

BANNARI AMMAN SUGARS LTD
REP. BY COMPANY SECRETARY REGD. OFFICE AT
1212 TRICHY ROAD COIMBATORE-641 018.
... PETITIONER in WP No.4924 of 2014

SESHASAYEE PAPER AND
BOARDS LTD. REP.BY THE DEPUTY MANAGING
DIRECTOR & SECRETARY PALLIPALAYAM NAMAKKAL
DISTRICT ERODE 638 007
... PETITIONER in WP No.14952 of 2014

BASUDHA UDYOG LTD.
K-BLOCK 1ST AVENUE OLD NO.27 NEW NO.18
GROUND FLOOR ANNA NAGAR EAST CHENNAI-102

... PETITIONER in WP No.272 of 2014

MALCO ENERGY LTD REP. BY
ITS AUTHORISED SIGNATORY (FORMERLY THE
MADRAS ALUMINIUM CO. LTD. PB.NO.4 METTUR
DAM R.S. SALEM DISTRICT 636 402.
... PETITIONER in WP No.6382 of 2014

M/S.OPG ENERGY PRIVATE LTD
NO.167 ST.MARYS ROAD ALWARPET CHENNAI 18
... PETITIONER in WP No.17057 of 2014

M/S.A.R.S.METALS LTD POWER
DIVISION HT SCNO.1984 D-109 2ND FLOOR
LBR COMPLEX ANNA NAGAR EAST CHENNAI- 102.
REP BY DEPUTY DIRECTOR N.PRABU
... PETITIONER in WP No.3522 of 2017

- VS -

1 TAMIL NADU ELECTRICITY
REGULATORY COMMISSION REP. BY ITS SECRETARY
19-A RUKMANI LAKSHMIPATHY SALAI
(MARSHALLS ROAD) EGMORE CHENNAI-8.

2 THE CHAIRMAN
TANGEDCO TAMIL NADU ELECTRICITY BOARD 144
ANNA SALAI CHENNAI-2.

3 THE SUPERINTENDING ENGINEER
TANGEDCO CHENNAI ELECTRICITY DISTRIBUTION
CIRCLE / NORTH TAMIL NADU ELECTRICITY BOARD
144 ANNA SALAI CHENNAI-2.
... RESPONDENT in WP No.26266 of 2013

1 TAMILNADU GENERATION AND
DISTRIBUTION CORPORATION LTD. REP.BY ITS
CHAIRMAN NPKRR MAALIGAI
144 ANNA SALAI CHENNAI-2

2 THE CHIEF FINANCE CONTROLLER/
REVENUE TANGEDCO (ACCOUNTS BRANCH)
144 ANNA SALAI CHENNAI-2

3 THE DIRECTOR (FINANCE)
TANGEDCO 144 ANNA SALAI CHENNAI-2

4 TAMILNADU ELECTRICITY REGULATORY COMMISSION
NO.19A RUKMINI LAKSHMIPATHY SALAI
EGMORE CHENNAI-8 ... RESPONDENT in WP No.26553 of 2013

1 TAMILNADU GENERATION AND
DISTRIBUTION CORPORATION LTD. REP.BY ITS
CHAIRMAN NPKRR MAALIGAI
144 ANNA SALAI CHENNAI-2

2 THE CHIEF FINANCE CONTROLLER/
REVENUE TANGEDCO (ACCOUNTS BRANCH)
144 ANNA SALAI CHENNAI-2

3 THE DIRECTOR (FINANCE)
TANGEDCO 144 ANNA SALAI CHENNAI-2

4 THE SUPERINTENDING ENGINEER
CHENNAI EDC/ NORTH TANGEDCO ANNA SALAI
CHENNAI-2

5 TAMILNADU ELECTRICITY
REGULATORY COMMISSION NO.19A RUKMINI
LAKSHMIPATHY SALAI EGMORE CHENNAI-8

... RESPONDENT in WP No.26554 of 2013

1 TAMILNADU GENERATION AND
DISTRIBUTION CORPORATION LTD. REP.BY ITS
CHAIRMAN NPKRR MAALIGAI 144 ANNA SALAI
CHENNAI-600 002

2 THE CHIEF FINANCE CONTROLLER/
REVENUE TANGEDCO (ACCOUNTS BRANCH) 144
ANNA SALAI CHENNAI-600 002

3 THE DIRECTOR (FINANCE)
TANGEDCO 144 ANNA SALAI CHENNAI-600 002

4 THE SUPERINTENDING ENGINEER
CHENNAI EDC/ NORTH TANGEDCO ANNA SALAI
CHENNAI-2

5 TAMILNADU ELECTRICITY
REGULATORY COMMISSION NO.19A RUKMINI
LAKSHMIPATHY SALAI EGMORE CHENNAI-8

... RESPONDENT in WP No.27269 of 2013

1 TAMILNADU GENERATION AND
DISTRIBUTION CORPORATION LTD. REP. BY ITS
CHAIRMAN NPKRR MAALIGAI 144 ANNA SALAI
CHENNAI-2

2 THE CHIEF FINANCE CONTROLLER/
REVENUE TANGEDCO (ACCOUNTS BRANCH) 144
ANNA SALAI CHENNAI-2.

3 THE DIRECTOR (FINANCE)
TANGEDCO 144 ANNA SALAI CHENNAI-2

4 THE SUPERINTENDING ENGINEER
CEDC/NORTH CHENNAI-2

5 TAMIL NADU ELECTRICITY
REGULATORY COMMISSION NO.19A RUKMINI
LAKSHMIPATHY SALAI EGMORE CHENNAI-8

... RESPONDENT in WP No.28093 of 2013

1 TAMILNADU GENERATION AND
DISTRIBUTION CORPORATION LTD. REP. BY ITS
CHAIRMAN NPKRR MAALIGAI 144 ANNA SALAI
CHENNAI-2

2 THE CHIEF FINANCE CONTROLLER/
REVENUE TANGEDCO(ACCOUNTS BRANCH) 144 ANNA
SALAI CHENNAI-2

3 THE DIRECTOR (FINANCE)
TANGEDCO 144 ANNA SALAI CHENNAI-2

4 THE SUPERINTENDING ENGINEER
CEDC/NORTH CHENNAI 2

5 TAMILNADU ELECTRICITY
REGULATORY COMMISSION NO.19A RUKMINI
LAKSHMIPATHY SALAI EGMORE CHENNAI 8

... RESPONDENT in WP No.28443 of 2013

1 TAMILNADU GENERATION AND
DISTRIBUTION CORPORATION LTD. REP.BY ITS
CHAIRMAN NPKRR MAALIGAI 144 ANNA SALAI
CHENNAI-600 002

2 THE CHIEF FINANCE CONTROLLER/
REVENUE TANGEDCO (ACCOUNTS BRANCH) 144
ANNA SALAI CHENNAI-600 002

3 THE DIRECTOR (FINANCE)
TANGEDCO 144 ANNA SALAI CHENNAI-600 002

4 THE SUPERINTENDING ENGINEER
ERODE EDC 948 E.V.N. ROAD ERODE-638 009

5 TAMILNADU ELECTRICITY
REGULATORY COMMISSION NO.19A RUKMINI
LAKSHMIPATHY SALAI EGMORE CHENNAI-8

... RESPONDENT in WP No.27324 of 2013

1 TAMILNADU GENERATION AND
DISTRIBUTION CORPORATION LTD. REP.BY ITS
CHAIRMAN NPKRR MAALIGAI 144 ANNA SALAI
CHENNAI-600 002

2 THE CHIEF FINANCE CONTROLLER/
REVENUE TANGEDCO (ACCOUNTS BRANCH) 144
ANNA SALAI CHENNAI-600 002

3 THE DIRECTOR (FINANCE)
TANGEDCO 144 ANNA SALAI CHENNAI-600 002

4 THE SUPERINTENDING ENGINEER
ERODE EDC 948 E.V.N. ROAD ERODE-638 009

5 TAMILNADU ELECTRICITY
REGULATORY COMMISSION NO.19A RUKMINI
LAKSHMIPATHY SALAI EGMORE CHENNAI-8

... RESPONDENT in WP No.27325 of 2013

1 TAMILNADU GENERATION AND
DISTRIBUTION CORPORATION LTD. REP.BY ITS
CHAIRMAN NPKRR MAALIGAI 144 ANNA SALAI
CHENNAI-600 002

2 THE CHIEF FINANCE CONTROLLER/
REVENUE TANGEDCO (ACCOUNTS BRANCH) 144
ANNA SALAI CHENNAI-600 002

3 THE DIRECTOR (FINANCE)
TANGEDCO 144 ANNA SALAI CHENNAI-600 002

4 THE SUPERINTENDING ENGINEER
CHENNAI EDC/ NORTH TANGEDCO ANNA SALAI
CHENNAI-2

5 TAMILNADU ELECTRICITY
REGULATORY COMMISSION NO.19A RUKMINI
LAKSHMIPATHY SALAI EGMORE CHENNAI-8

... RESPONDENT in WP No.27326 of 2013

1 TAMILNADU GENERATION AND
DISTRIBUTION CORPORATION LTD. REP. BY ITS
CHAIRMAN NPKRR MAALIGAI
144 ANNA SALAI
CHENNAI-2

2 THE CHIEF FINANCE CONTROLLER/
REVENUE TANGEDCO(ACCOUNTS BRANCH)
144 ANNA SALAI CHENNAI-2

3 THE DIRECTOR (FINANCE)
TANGEDCO 144 ANNA SALAI CHENNAI-2

4 THE SUPERINTENDING ENGINEER
DEDC / M.N.PATTY P.O. DINDIGUL-2

5 ACCOUNTS OFFICER/REVENUE/
DINDIGUL TANGEDCO (ACCOUNTS BRANCH) DINDIGUL
CIRCLE OFFICE

6 TAMIL NADU ELECTRICITY
REGULATORY COMMISSION NO.19A RUKMINI
LAKSHMIPATHY SALAI EGMORE CHENNAI-8

... RESPONDENT in WP No.27807 of 2013

1 TAMILNADU GENERATION AND
DISTRIBUTION CORPORATION LTD. REP. BY ITS
CHAIRMAN NPKRR MAALIGAI 144 ANNA SALAI
CHENNAI-2

2 THE CHIEF FINANCE CONTROLLER/
REVENUE TANGEDCO(ACCOUNTS BRANCH) 144 ANNA
SALAI CHENNAI-2

3 THE DIRECTOR (FINANCE)
TANGEDCO 144 ANNA SALAI CHENNAI-2

4 THE SUPERINTENDING ENGINEER
KARUR ELECTRICITY DISTRIBUTION CIRCLE KARUR

5 DEPUTY FINANCIAL OFFICER
TANGEDCO KARUR CIRCLE

6 TAMIL NADU ELECTRICITY
REGULATORY COMMISSION NO.19A RUKMINI
LAKSHMIPATHY SALAI EGMORE CHENNAI-8

... RESPONDENT in WP No.27808 of 2013

1 TAMILNADU GENERATION AND
DISTRIBUTION CORPORATION LTD. REP. BY ITS
CHAIRMAN NPKRR MAALIGAI
144 ANNA SALAI
CHENNAI-2

2 THE CHIEF FINANCE CONTROLLER/
REVENUE TANGEDCO (ACCOUNTS BRANCH)
144 ANNA SALAI CHENNAI-2.

3 THE DIRECTOR (FINANCE)
TANGEDCO
144 ANNA SALAI CHENNAI-2

4 THE SUPERINTENDING ENGINEER
PERAMBALUR ELECTRICITY DISTRIBUTION CIRCLE
PERAMBALUR.

5 ACCOUNTS OFFICER/REVENUE/
TANGEDCO (ACCOUNTS BRANCH)
PERAMBALUR CIRCLE OFFICE

6 TAMIL NADU ELECTRICITY
REGULATORY COMMISSION NO.19A RUKMINI
LAKSHMIPATHY SALAI EGMORE CHENNAI-8

... RESPONDENT in WP No.27841 of 2013

1 TAMILNADU ELECTRICITY
REGULATORY COMMISSION REP.BY ITS SECRETARY
19-A RUKMANI LAKSHMIPATHY SALAI
(MARSHALLS ROAD) EGMORE CHENNAI-8

2 THE CHAIRMAN
TANGEDCO TAMILNADU ELECTRICITY BOARD 144
ANNA SALAI CHENNAI-2

3 THE ACCOUNTS OFFICER/
REVENUE TANGEDCO CHENNAI ELECTRICITY
DISTRIBUTION CIRCLE/ NORTH TAMILNADU
ELECTRICITY BOARD 144 ANNA SALAI CHENNAI-2

... RESPONDENT in WP No.28374 of 2013

1 TAMILNADU GENERATION AND
DISTRIBUTION CORPORATION LTD. REP. BY ITS
CHAIRMAN NPKRR MAALIGAI 144 ANNA SALAI
CHENNAI-2

2 THE CHIEF FINANCE CONTROLLER/
REVENUE TANGEDCO(ACCOUNTS BRANCH)
144 ANNA SALAI CHENNAI-2

3 THE DIRECTOR (FINANCE)
TANGEDCO
144 ANNA SALAI CHENNAI-2

4 THE SUPERINTENDING ENGINEER
VILLUPURAM ELECTRICITY DISTRIBUTION CIRCLE
VILLUPURAM

5 TAMILNADU ELECTRICITY REGULATORY COMMISSION
NO.19A RUKMINI LAKSHMIPATHY SALAI EGMORE CHENNAI 8

... RESPONDENT in WP No.28438 of 2013

1 TAMILNADU GENERATION AND
DISTRIBUTION CORPORATION LTD. REP. BY ITS
CHAIRMAN NPKRR MAALIGAI 144 ANNA SALAI
CHENNAI-2

2 THE CHIEF FINANCE CONTROLLER/
REVENUE TANGEDCO(ACCOUNTS BRANCH) 144 ANNA
SALAI CHENNAI-2

3 THE DIRECTOR (FINANCE)
TANGEDCO 144 ANNA SALAI CHENNAI-2

4 THE SUPERINTENDING ENGINEER
VILLUPURAM ELECTRICITY DISTRIBUTION CIRCLE
VILLUPURAM

5 TAMILNADU ELECTRICITY
REGULATORY COMMISSION NO.19A RUKMINI
LAKSHMIPATHY SALAI EGMORE CHENNAI 8

... RESPONDENT in WP No.28440 of 2013

1 TAMILNADU GENERATION AND
DISTRIBUTION CORPORATION LTD. REP. BY ITS
CHAIRMAN NPKRR MAALIGAI 144 ANNA SALAI
CHENNAI-2

2 THE CHIEF FINANCE CONTROLLER/
REVENUE TANGEDCO(ACCOUNTS BRANCH) 144 ANNA
SALAI CHENNAI-2

3 THE DIRECTOR (FINANCE)
TANGEDCO 144 ANNA SALAI CHENNAI-2

4 THE SUPERINTENDING ENGINEER
TUTICORIN ELECTRICITY DISTRIBUTION CIRCLE
THOOTHUKUDI

5 ACCOUNTS OFFICER/REVENUE
TANGEDCO (ACCOUNTS BRANCH)
TUTICORIN CIRCLE OFFICE

6 TAMILNADU ELECTRICITY
REGULATORY COMMISSION NO.19A RUKMINI
LAKSHMIPATHY SALAI EGMORE CHENNAI 8

... RESPONDENT in WP No.28451 of 2013

1 TAMIL NADU ELECTRICITY
REGULATORY COMMISSION REP. BY ITS SECRETARY
19-A RUKMANI LAKSHMIPATHY SALAI
(MARSHALLS ROAD) EGMORE CHENNAI-8.

2 THE CHAIRMAN
TANGEDCO TAMIL NADU ELECTRICITY BOARD 144
ANNA SALAI CHENNAI-2.

3 THE SUPERINTENDING ENGINEER
TANGEDCO CHENNAI ELECTRICITY DISTRIBUTION
CIRCLE / NORTH TAMIL NADU ELECTRICITY BOARD
144 ANNA SALAI CHENNAI-2.

... RESPONDENT in WP No.28885 of 2013

1 TAMIL NADU ELECTRICITY
REGULATORY COMMISSION REP. BY ITS SECRETARY
19-A RUKMANI LAKSHMIPATHY SALAI
(MARSHALLS ROAD) EGMORE CHENNAI-8.

2 THE CHAIRMAN
TANGEDCO TAMIL NADU ELECTRICITY BOARD 144
ANNA SALAI CHENNAI-2.

3 THE SUPERINTENDING ENGINEER
TANGEDCO CHENNAI ELECTRICITY DISTRIBUTION
CIRCLE / NORTH TAMIL NADU ELECTRICITY BOARD
144 ANNA SALAI CHENNAI-2.

... RESPONDENT in WP No.28886 of 2013

1 TAMILNADU GENERATION AND
DISTRIBUTION CORPORATION LTD. REP. BY ITS
CHAIRMAN NPKRR MAALIGAI 144 ANNA SALAI
CHENNAI-2

2 THE CHIEF FINANCE CONTROLLER/
REVENUE TANGEDCO(ACCOUNTS BRANCH) 144 ANNA
SALAI CHENNAI-2

3 THE DIRECTOR (FINANCE)
TANGEDCO 144 ANNA SALAI CHENNAI-2

4 THE SUPERINTENDING ENGINEER
CEDC/NORTH CHENNAI-2.

5 THE ACCOUNTS OFFICER/ REVENUE
TANGEDCO (ACCOUNTS BRANCH) CHENNAI-2.

6 TAMILNADU ELECTRICITY REGULATORY COMMISSION
NO.19A RUKMINI LAKSHMIPATHY SALAI
EGMORE CHENNAI 8

... RESPONDENT in WP No.28952 of 2013

1 TAMIL NADU ELECTRICITY
REGULATORY COMMISSION REP. BY ITS SECRETARY
19-A RUKMANI LAKSHMIPATHY SALAI
(MARSHALLS ROAD) EGMORE CHENNAI-8.

2 THE CHAIRMAN
TANGEDCO TAMIL NADU ELECTRICITY BOARD 144
ANNA SALAI CHENNAI-2.

3 DEPUTY FINANCIAL CONTROLLER/ REVENUE
O/O. THE SUPERINTENDING ENGINEER
TANGEDCO RAMNAD ELECTRICITY DISTRIBUTION
CIRCLE TAMILNADU ELECTRICITY BOARD RAMNAD

... RESPONDENT in WP No.30433 of 2013

1 TAMILNADU GENERATION AND
DISTRIBUTION CORPORATION LIMITED REP BY ITS
CHAIRMAN NPKRR MAALIGAI 144 ANNA SALAI
CHENNAI 2

2 THE CHIEF FINANCE CONTROLLER/
REVENUE TANGEDCO (ACCOUNTS BRANCH) 144
ANNA SALAI CHENNAI 2

3 THE DIRECTOR (FINANCE)
TANGEDCO 144 ANNA SALAI
CHENNAI 2

4 THE SUPERINTENDING ENGINEER
THENI ELECTRICITY DISTRIBUTION CIRCLE
THENI DISTRICT

5 TAMILNADU ELECTRICITY REGULATORY COMMISSION
NO.19A RUKMINI LAKSHMIPATHY SALAI
EGMORE CHENNAI 8

... RESPONDENT in WP No.30502 of 2013

1 TAMILNADU GENERATION AND DISTRIBUTION CORPORATION LTD.
REP. BY ITS CHAIRMAN
NPKRR MAALIGAI 144 ANNA SALAI
CHENNAI-2

2 THE CHIEF FINANCE AND
CONTROLLER/REVENUE TANGEDCO (ACCOUNTS
BRANCH) 144 ANNA SALAI CHENNAI-2

3 THE DIRECTOR (FINANCE)
TANGEDCO 144 ANNA SALAI CHENNAI-2

4 THE SUPERINTENDING ENGINEER
THIRUVANNAMLAI ELECTRICITY DISTRIBUTION
CIRCLE THIRUVANNAMALAI

5 TAMILNADU ELECTRICITY
REGULATORY COMMISSION NO.19A RUKMANI
LAKSHMIPATHI SALAI EGMORE CHENNAI-8

... RESPONDENT in WP No.30629 of 2013

1 TAMILNADU GENERATION AND
DISTRIBUTION CORPORATION LTD. REP. BY ITS
CHAIRMAN NPKRR MAALIGAI 144 ANNA SALAI
CHENNAI-2

2 THE CHIEF FINANCE AND
CONTROLLER/REVENUE TANGEDCO (ACCOUNTS
BRANCH) 144 ANNA SALAI CHENNAI-2

3 THE DIRECTOR (FINANCE)
TANGEDCO 144 ANNA SALAI CHENNAI-2

4 THE SUPERINTENDING ENGINEER
KALLAKURICHI ELECTRICITY DISTRIBUTION CIRCLE
KALLAKURICHI

5 TAMILNADU ELECTRICITY
REGULATORY COMMISSION NO.19A RUKMANI
LAKSHMIPATHI SALAI EGMORE CHENNAI-8

... RESPONDENT in WP No.30630 of 2013

1 TAMIL NADU GENERATION AND
DISTRIBUTION CORPORATION LTD REP BY ITS
CHAIRMAN NPKRR MALIGAI 144 ANNA SALAI
CHENNAI-2.

2 THE CHIEF FINANCE CONTROLLER/
REVENUE TANGEDCO (ACCOUNTS BRANCH) 144
ANNA SALAI CHENNAI-2.

3 THE DIRECTOR (FINANCE)
TANGEDCO 144 ANNA SALAI CHENNAI-2.

4 THE SUPERINTENDING ENGINEER
KALLAKURICHI ELECTRICITY DISTRIBUTION CIRCLE
KALLAKURICHI.

5 THE SUPERINTENDING ENGINEER
VILLUPURAM EDC TNEB/ PO.NO.10 PIN:605 602.

6 TAMIL NADU ELECTRICITY
REGULATORY COMMISSION NO.19A RUKMINI
LAKSHMIPATHY SALAI EGMORE CHENNAI-8.

... RESPONDENT in WP No.31160 of 2013

1 TAMILNADU ELECTRICITY
REGULATORY COMMISSION REP. BY ITS SECRETARY
19 A RUKMANI LAKSHMIPATHI SALAI
(MARSHALLS ROAD) EGMORE CHENNAI-8

2 THE CHAIRMAN
TANGEDCO TAMILNADU ELECTRICITY BOARD 144
ANNA SALAI CHENNAI-2

3 THE SUPERINTENDING ENGINEER
TANGEDCO RAMNAD ELECTRICITY DISTRIBUTION
CIRCLE TAMILNADU ELECTRICITY BOARD RAMNAD

... RESPONDENT in WP No.33026 of 2013

1 TAMILNADU GENERATION AND
DISTRIBUTION CORPORATION LIMITED REP BY ITS
CHAIRMAN NPKRR MAALIGAI 144 ANNA SALAI
CHENNAI 2

2 THE CHIEF FINANCE CONTROLLER/
REVENUE TANGEDCO (ACCOUNTS BRANCH) 144
ANNA SALAI CHENNAI 2

3 THE DIRECTOR (FINANCE)
TANGEDCO
144 ANNA SALAI CHENNAI 2

4 SUPERINTENDING ENGINEER
PERAMBALUR ELECTRICITY DISTRIBUTION CIRCLE
PERAMBALUR

5 TAMILNADU ELECTRICITY REGULATORY COMMISSION
NO.19A RUKMINI LAKSHMIPATHY SALAI
EGMORE CHENNAI 8

... RESPONDENT in WP No.33113 of 2013

1 TAMILNADU GENERATION AND DISTRIBUTION
CORPORATION LIMITED
REP BY ITS CHAIRMAN
NPKRR MAALIGAI 144 ANNA SALAI
CHENNAI 2

2 THE CHIEF FINANCE CONTROLLER/
REVENUE TANGEDCO (ACCOUNTS BRANCH)
144 ANNA SALAI
CHENNAI 2

3 THE DIRECTOR (FINANCE)
TANGEDCO 144 ANNA SALAI CHENNAI 2

4 THE SUPERINTENDING ENGINEER
TRICHY ELECTRICITY DISTRIBUTION CIRCLE
METRO/TRICHY 620 020

5 TAMILNADU ELECTRICITY
REGULATORY COMMISSION NO.19A RUKMINI
LAKSHMIPATHY SALAI
EGMORE CHENNAI 8

... RESPONDENT in WP No.33151 of 2013

1 TAMILNADU GENERATION AND DISTRIBUTION
CORPORATION LIMITED
REP BY ITS CHAIRMAN
NPKRR MAALIGAI 144 ANNA SALAI
CHENNAI 2

2 THE CHIEF FINANCE CONTROLLER/
REVENUE TANGEDCO (ACCOUNTS BRANCH) 144
ANNA SALAI CHENNAI 2

3 THE DIRECTOR (FINANCE)
TANGEDCO 144 ANNA SALAI
CHENNAI 2

4 SUPERINTENDING ENGINEER
CUDDALORE ELECRTICITY DISTRIBUTION CIRCLE
CUDDALORE CAPER HILLS
CUDDALORE 607 004

5 ACCOUNTS OFFICER/REVENUE
CUDDALORE ELECTRICITY DISTRIBUTION CIRCLE
CUDDALORE 607 004

6 TAMILNADU ELECTRICITY
REGULATORY COMMISSION NO.19A RUKMINI
LAKSHMIPATHY SALAI EGMORE CHENNAI 8

... RESPONDENT in WP No.33150 of 2013

1 TAMILNADU GENERATION AND
DISTRIBUTION CORPORATION LIMITED REP BY ITS
CHAIRMAN NPKRR MAALIGAI 144 ANNA SALAI
CHENNAI 2

2 THE CHIEF FINANCE CONTROLLER/
REVENUE TANGEDCO (ACCOUNTS BRANCH) 144
ANNA SALAI CHENNAI 2

3 THE DIRECTOR (FINANCE)
TANGEDCO
144 ANNA SALAI CHENNAI 2

4 SUPERINTENDING ENGINEER
PUDUKOTTAI ELECTRICITY DISTRIBUTION CIRCLE
TANGEDCO PUDUKOTTAI

5 ACCOUNTS OFFICER/REVENUE
PUDUKOTTAI ELECTRICITY DISTRIBUTION CIRCLE
PUDUKOTTAI

6 TAMILNADU ELECTRICITY REGULATORY COMMISSION
NO.19A RUKMINI LAKSHMIPATHY SALAI
EGMORE CHENNAI 8

... RESPONDENT in WP No.33210 of 2013

1 TAMILNADU GENERATION AND
DISTRIBUTION CORPORATION LIMITED
REP BY ITS CHAIRMAN
NPKRR MAALIGAI 144 ANNA SALAI
CHENNAI 2

2 THE CHIEF FINANCE CONTROLLER/REVENUE
TANGEDCO (ACCOUNTS BRANCH)
144 ANNA SALAI CHENNAI 2

3 THE DIRECTOR (FINANCE)
TANGEDCO 144 ANNA SALAI CHENNAI 2

4 THE SUPERINTENDING ENGINEER
CUDDALORE ELECTRICITY DISTRIBUTION CIRCLE
CAPPER HILLS CUDDALORE

5 ACCOUNTS OFFICER/REVENUE
CUDDALORE ELECTRICITY DISTRIBUTION CIRCLE
CUDDALORE

6 TAMILNADU ELECTRICITY
REGULATORY COMMISSION NO.19A RUKMINI
LAKSHMIPATHY SALAI EGMORE CHENNAI 8

... RESPONDENT in WP No.33115 of 2013

1 TAMILNADU GENERATION AND
DISTRIBUTION CORPORATION LIMITED
REP BY ITS CHAIRMAN
NPKRR MAALIGAI 144 ANNA SALAI
CHENNAI 2

2 THE CHIEF FINANCE CONTROLLER/
REVENUE TANGEDCO (ACCOUNTS BRANCH) 144
ANNA SALAI CHENNAI 2

3 THE DIRECTOR (FINANCE)
TANGEDCO 144 ANNA SALAI CHENNAI 2

4 SUPERINTENDING ENGINEER
THANJAVUR ELECTRICITY DISTRIBUTION CIRCLE
NO.1 VALLAM ROAD
THANJAVUR 613 007

5 ACCOUNTS OFFICER/REVENUE
TANGEDCO/TEDC THANJAVUR 613 007

6 TAMILNADU ELECTRICITY
REGULATORY COMMISSION
NO.19A RUKMINI LAKSHMIPATHY SALAI
EGMORE CHENNAI 8

... RESPONDENT in WP No.33116 of 2013

1 TAMILNADU GENERATION AND
DISTRIBUTION CORPORATION LIMITED REP BY ITS
CHAIRMAN NPKRR MAALIGAI 144 ANNA SALAI
CHENNAI 2

2 THE CHIEF FINANCE CONTROLLER/
REVENUE TANGEDCO (ACCOUNTS BRANCH) 144
ANNA SALAI CHENNAI 2

3 THE DIRECTOR (FINANCE)
TANGEDCO 144 ANNA SALAI CHENNAI 2

4 THE SUPERINTENDING ENGINEER
CUDDALORE ELECTRICITY DISTRIBUTION CIRCLE
CAPPER HILLS CUDDALOE

5 ACCOUNTS OFFICER/REVENUE
CUDDALORE ELECTRICITY DISTRIBUTION CIRCLE
CUDDALORE

6 TAMILNADU ELECTRICITY
REGULATORY COMMISSION NO.19A RUKMINI
LAKSHMIPATHY SALAI EGMORE CHENNAI 8

... RESPONDENT in WP No.33117 of 2013

1 TAMILNADU GENERATION AND
DISTRIBUTION CORPORATION LIMITED REP BY ITS
CHAIRMAN NPKRR MAALIGAI 144 ANNA SALAI
CHENNAI 2

2 THE CHIEF FINANCE CONTROLLER/
REVENUE TANGEDCO (ACCOUNTS BRANCH) 144
ANNA SALAI CHENNAI 2

3 THE DIRECTOR (FINANCE)
TANGEDCO 144 ANNA SALAI CHENNAI 2

4 THE SUPERINTENDING ENGINEER TANGEDCO LTD
SIVAGANGA ELECTRICITY DISTRIBUTION CIRCLE
SIVAGANGAI

5 TAMILNADU ELECTRICITY
REGULATORY COMMISSION NO.19A RUKMINI
LAKSHMIPATHY SALAI EGMORE CHENNAI 8

... RESPONDENT in WP No.33119 of 2013

1 TAMILNADU GENERATION AND
DISTRIBUTION CORPORATION LIMITED REP BY ITS
CHAIRMAN NPKRR MAALIGAI 144 ANNA SALAI
CHENNAI 2

2 THE CHIEF FINANCE CONTROLLER/
REVENUE TANGEDCO (ACCOUNTS BRANCH) 144
ANNA SALAI CHENNAI 2

3 THE DIRECTOR (FINANCE)
TANGEDCO 144 ANNA SALAI CHENNAI 2

4 SUPERINTENDING ENGINEER
THANJAVUR ELECY. DISTN. CIRCLE NO.1 VALLAM
ROAD THANJAVUR 613 007

5 ACCOUNTS OFFICER/REVENUE
TANGEDCO/TEDC THANJAVUR 613 007

6 TAMILNADU ELECTRICITY
REGULATORY COMMISSION NO.19A RUKMINI
LAKSHMIPATHY SALAI EGMORE CHENNAI 8

... RESPONDENT in WP No.33118 of 2013

1 TAMILNADU GENERATION AND
DISTRIBUTION CORPORATION LIMITED
REP BY ITS CHAIRMAN
NPKRR MAALIGAI 144 ANNA SALAI
CHENNAI 2

2 THE CHIEF FINANCE CONTROLLER/
REVENUE TANGEDCO (ACCOUNTS BRANCH) 144
ANNA SALAI CHENNAI 2

3 THE DIRECTOR (FINANCE)
TANGEDCO 144 ANNA SALAI CHENNAI 2

4 SUPERINTENDING ENGINEER
TRICHY ELECTRICITY DISTRIBUTION CIRCLE/METRO
TIRUCHIRAPPALLI 621 020

5 TAMILNADU ELECTRICITY
REGULATORY COMMISSION
NO.19A RUKMINI LAKSHMIPATHY SALAI
EGMORE CHENNAI 8

... RESPONDENT in WP No.33114 of 2013

1 TAMILNADU GENERATION AND
DISTRIBUTION CORPORATION LTD. REP.BY ITS
CHAIRMAN NPKRR MAALIGAI 144 ANNA SALAI
CHENNAI-2

2 THE CHIEF FINANCE CONTROLLER/
REVENUE TANGEDCO (ACCOUNTS BRANCH) 144
ANNA SALAI CHENNAI-2

3 THE DIRECTOR (FINANCE)
TANGEDCO 144 ANNA SALAI CHENNAI-2

4 THE SUPERINTENDING ENGINEER
NAGAPATTINAM ELECTRICITY DISTRIBUTION CIRCLE
TANGEDCO 36 SATTAYAPPAR EAST STREET
NAGAPATTINAM 611 001

5 TAMILNADU ELECTRICITY
REGULATORY COMMISSION NO.19A RUKMINI
LAKSHMIPATHY SALAI EGMORE CHENNAI-8

... RESPONDENT in WP No.34739 of 2013

1 TAMILNADU GENERATION AND
DISTRIBUTION CORPORATION LTD. REP. BY ITS
CHAIRMAN NAPKRR MAALIGAI 144 ANNA SALAI
CHENNAI-2

2 THE SUPERINTENDING ENGINEER
NAGAPATTINAM ELECTRICITY DISTRIBUTION CIRCLE
NAGAPATTINAM
... RESPONDENT in WP No.35041 of 2013

1 TAMILNADU GENERATION AND
DISTRIBUTION CORPORATION LTD. REP. BY ITS
CHAIRMAN NAPKRR MAALIGAI 144 ANNA SALAI
CHENNAI-2

2 THE SUPERINTENDING ENGINEER
NAGAPATTINAM ELECTRICITY DISTRIBUTION CIRCLE
NAGAPATTINAM
... RESPONDENT in WP No.35042 of 2013

1 TAMILNADU GENERATION AND
DISTRIBUTION CORPORATION LIMITED REP BY ITS
CHAIRMAN NPKRR MAALIGAI 144 ANNA SALAI
CHENNAI-2

2 THE CHIEF FINANCE CONTROLLER
/REVENUE TANGEDCO (ACCOUNTS BRANCH) 144
ANNA SALAI CHENNAI 2

3 THE DIRECTOR (FINANCE)
TANGEDCO 144 ANNA SALAI
CHENNAI 2

4 THE SUPERINTENDING ENGINEER
ERODE ELECTRICITY DISTRIBUTION CIRCLE
ERODE- 9.

5 TAMILNADU ELECTRICITY
REGULATORY COMMISSION
NO.19A RUKMINI LAKSHMIPATHY SALAI
EGMORE CHENNAI 8
... RESPONDENT in WP No.848 of 2014

1 TAMILNADU GENERATION AND
DISTRIBUTION CORPORATION LIMITED REP BY ITS
CHAIRMAN NPKRR MAALIGAI
144 ANNA SALAI CHENNAI-2

2 THE CHIEF FINANCE CONTROLLER
/REVENUE TANGEDCO (ACCOUNTS BRANCH)
144 ANNA SALAI CHENNAI 2

3 THE DIRECTOR (FINANCE)
TANGEDCO
144 ANNA SALAI CHENNAI 2

4 THE SUPERINTENDING ENGINEER
ERODE ELECTRICITY DISTRIBUTION CIRCLE
ERODE- 9.

5 TAMILNADU ELECTRICITY REGULATORY COMMISSION
NO.19A RUKMINI LAKSHMIPATHY SALAI
EGMORE CHENNAI 8

... RESPONDENT in WP No.869 of 2014

1 THE TAMILNADU GENERATION
AND DISTYRIBUTION CORPORATION LTD.
(TANGEDCO) REP. BY ITS CHAIRMAN & MANAGING
DIRECTOR NO.144
ANNA SALAI CHENNAI-2

2 THE SUPERINTENDING ENGINEER
THE TAMILNADU GENERATION AND DISTRIBUTION
CORPORATION LTD. (TANGEDCO) METTUR
ELECTRICITY DISTRIBUTION CIRCLE METTUR DAM
636 401

3 THE ACCOUNTS OFFICER
THE TAMILNADU GENERATION AND DISTRIBUTION
CORPORATION LTD. (TANGEDCO) METTUR CIRCLE
OFFICE METTUR DAM 636 401

... RESPONDENT in WP No.14037 of 2014

1 TAMILNADU GENERATION AND
DISTRIBUTION CORPORATION LIMITED REP BY ITS
CHAIRMAN NPKRR MAALIGAI 144 ANNA SALAI
CHENNAI-2

2 THE CHIEF FINANCE CONTROLLER/
REVENUE TANGEDCO (ACCOUNTS BRANCH) 144
ANNA SALAI CHENNAI 2

3 THE DIRECTOR (FINANCE)
TANGEDCO 144 ANNA SALAI CHENNAI 2

4 THE SUPERINTENDING ENGINEER
GOBICHETTIPALAYAM ELECTRICITY DISTRIBUTION
CIRCLE GOBICHETTIPALAYAM - 638 452.

5 TAMILNADU ELECTRICITY
REGULATORY COMMISSION
NO.19A RUKMINI LAKSHMIPATHY SALAI
EGMORE CHENNAI-8

... RESPONDENT in WP No.4924 of 2014

1 TAMILNADU GENERATION AND
DISTRIBUTION CORPORATION LIMITED REP BY ITS
CHAIRMAN NPKRR MAALIGAI 144 ANNA SALAI
CHENNAI 2

2 THE CHIEF FINANCE CONTROLLER/
REVENUE TANGEDCO (ACCOUNTS BRANCH) 144
ANNA SALAI CHENNAI 2

3 THE DIRECTOR (FINANCE)
TANGEDCO 144 ANNA SALAI CHENNAI 2

4 THE SUPERINTENDING ENGINEER
METTUR ELECTRICITY DISTRIBUTION CIRCLE
TANGEDCO

5 DEPUTY FINANCIAL
CONTROLLER METTUR ELECTRICITY
DISTRIBUTION CIRCLE TANGEDCO

... RESPONDENT in WP No.14952 of 2014

1 TAMILNADU GENERATION AND
DISTRIBUTION CORPORATION LTD. REP.BY ITS
CHAIRMAN NPKRR MAALIGAI 144 ANNA SALAI
CHENNAI-600 002

2 THE CHIEF FINANCE CONTROLLER/
REVENUE TANGEDCO (ACCOUNTS BRANCH) 144
ANNA SALAI CHENNAI-600 002

3 THE DIRECTOR (FINANCE)
TANGEDCO 144 ANNA SALAI CHENNAI-600 002

4 THE SUPERINTENDING ENGINEER
CHENNAI EDC/NORTH TANGEDCO 800 ANNA SALAI
CHENNAI-2

5 TAMILNADU ELECTRICITY
REGULATORY COMMISSION NO.19A
RUKMINILAKSHMIPATHY SALAI EGMORE CHENNAI-8

... RESPONDENT in WP No.272 of 2014

1 TAMIL NADU GENERATION AND
DISTRIBUTION CORPN. LTD. REP. BY ITS
CHAIRMAN NPKRR MAALIGAI 144 ANNA SALAI
CHENNAI 600 002.

2 THE CHIEF FINANCE CONTROLLER
/ REVENUE TANGEDCO(ACCOUNTS BRANCH) 144
ANNA SALAI CHENNAI 600 002.

3 THE DIRECTOR(FINANCE)
TANGEDCO 144 ANNA SALAI CHENNAI 600 002.

4 THE SUPERINTENDING ENGINEER
METTUR ELECTRICITY DISTRIBUTION CIRCLE
METTUR DAM 636 401.

5 ACCOUNTS OFFICER / REVENUE
TANGEDCO (ACCOUNTS BRANCH) METTUR CIRCLE
OFFICE METTUR DAM 636401.

6 TAMIL NADU ELECTRICITY
REGULATORY COMMISSION NO.19A RUKMANI
LAKSHMIPATHY SALAI EGMORE CHENNAI 600 008.

... RESPONDENT in WP No.6382 of 2014

1 TAMILNADU GENERATION AND
DISTRIBUTION CORPORATION LTD
REP BY ITS CHAIRMAN
NPKRR MAALIAGAI 144 ANNA SALAI
CHENNAI 2

2 THE CHIEF FINANCE CONTROLLER/
REVENUE TANGEDCO(ACCOUNTS BRANCH) 144
ANNA SALAI CHENNAI 2

3 THE DEPUTY FINANCIAL CONTROLLER
TANGEDCO NAGAPATTINAM CIRCLE

4 THE SUPERINTENDING ENGINEER
NAGAPATTINAM ELECTRICITY DISTRIBUTION CIRCLE
TANGEDCO NO.36
THATTAIPPAR STREET
NAGAPATTINAM

5 DEPUTY FINANCIAL CONTROLLER
NEDC/TNEB NAGAPATTINAM

6 TAMILNADU ELECTRICITY
REGULATORY COMMISSION NO.19A
RUKMINILAKSHMIPATHY SALAI EGMORE
CHENNAI 8 REP.BY ITS CHAIR PERSON

... RESPONDENT in WP No.17057 of 2014

1 TAMIL NADU ELECTRICITY
REGULATORY COMMISSION REP BY SECRETARY 19-
A RUKMANI LAKSHMIPATHY SALAI
(MARSHALLS ROAD) EGMORE CHENNAI-08

2 THE CHAIRMAN
TANGEDCO TAMIL NADU ELECTRICITY BOARD 144
ANNA SALAI CHENNAI-02.

3 THE SUPERINTENDING ENGINEER
TANGEDCO CHENNAI ELECTRICITY DISTRIBUTION
CIRCLE/ NORTH TAMIL NADU ELECTRICITY BOARD.
144 ANNA SALAI CHENNAI-02

... RESPONDENT in WP No.3522 of 2017

PRAYER:-

WP No.26266 of 2013:

Calling for the records relating to the proceedings of the 1st respondent herein in Item 6.8(1)(c) High Tension-V applicable to start up power in Para 6.A the Tariff Schedule in Tariff Order in T.P.No.1 of 2013 dated 20.6.2013 and the consequential demand in Item Nos.8 and 13(c) of the Bill dated 2.9.2013 under which demand charge and extra levy are claimed by the 3rd respondent from the petitioner generation Plant and quash the same and consequently forbear the 3rd respondent, their men, agents, servants, subordinates or any other person or persons demanding and collecting separate demand charges based on Item 6.8(1)(c) of Para A.6 of the Tariff Schedule in Tariff Order in T.P.No.1 of 2013 dated 20.06.2013.

WP No.26553,26554,27269,27324,27325,27326 of 2013:

Calling for the records of the second respondent relating to the impugned instruction in Letter No. CFC/FC/DFC/AAO.HT/AS.3/D.NO.126/13 dated 07.09.2013 and quash the same

WP No.28093 of 2013:

Calling for the records of the 2nd respondent in the impugned instruction in Letter No.../CFC/FC/ DFC/AAO.HT/ AS.3/D.No.126/13, dated 7.9.2013 and the consequential letter Lr. No. SE/CEDC/ N/ AEE/ DEV/ AE/ D2/ F CPP/ D/ 438/13 dated 25.9.2013 in relation to the billing of start-up power under a two part tariff system and quash the same and to consequently direct the respondents herein to forbear from demanding and collecting separate demand charges and energy charges as tariff for start-up power and to charge only energy charges and pass further or other orders.

WP No.28443 of 2013:

Calling for the records of the 2nd respondent in the impugned instruction in Letter No. /CFC/ FC/ DFC/ AAO.HT/ AS.3/D.NO.126/13, dt 7.9.2013 and all consequential letters including the 4th respondents Lr. NO. SE/CEDC/N/AEE/Dev/AE/D2/F CPP/D/ 438/13 dt 25.9.2013 in respect of billing start-up power under a two part tariff system and quash the same and to consequently direct the respondents herein to forbear from demanding and collecting separate demand charges and energy charges as tariff for start-up power and to charge only energy charges.

WP No.27807 of 2013:

Calling for the records of the 2nd respondent in the impugned instruction in Letter No. /CFC/ FC/ DFC/ AAO.HT/ AS.3/D.NO.126/13, dated 7.9.2013 and all consequential demands in respect of demand charges for start-up power and the impugned demand letter received from the 4th respondent in Lr. NO. SE/ DGL/ AO/ REV/ F.AUDIT/D.No. 001-1/2013 dated 29.8.2013 and the current consumption bill received from the 5th respondent for the month of September, 2013 in dated 1.10.2013 in respect of HT. SC. No.59094500345 and to quash the same and to consequently direct the respondents herein to forbear from demanding and collecting separate demand charges and energy charges as tariff for start up power and to charge only energy charges.

WP No.27808 of 2013:

Calling for the records of the 2nd respondent in the impugned instruction in Letter No. /CFC/ FC/ DFC/ AAO.HT/ AS.3/D.NO.126/13, dated 7.9.2013 and all consequential demands in respect of demand charges for start-up power including the impugned demand letter received from the 4th respondent in Lr. NO. SE/ KEDC/ KRR/ DFC/ AS/ HT/F.101/2013 dated 18.9.2013 and the current consumption bill received from the 5th respondent for the month of September, 2013 in dated 30.9.2013 in respect of HT. SC. No.101 and quash the same and to consequently direct the respondents herein to forbear from demanding and collecting separate demand charges and energy charges as tariff for start up power and to charge only energy charges.

WP No.27841 of 2013:

Calling for the records of the 2nd respondent in the impugned instruction in Letter No.../CFC/FC/ DFC/AAO.HT/ AS.3/D.No.126/13, dated 7.9.2013 and all consequential demands in respect of demand charges for start-up power including the current consumption bill received from fifth respondent for the month of September, 2013 in dated 1.10.2013 in respect of HT SC No.70 and quash the same and to consequently direct the respondents herein to forbear from demanding and collecting separate demand charges and energy charges as tariff for start up power and to charge only energy charges.

WP No.28374 of 2013:

Calling for the records relating to the proceedings of the 1st respondent herein in Item 6.8(1)(c) High Tension-V applicable to start up power in Para 6.A the Tariff Schedule in Tariff Order in T.P.No.1 of 2013 dated 20.6.2013 and the consequential demand in Item Nos.8 of the Bill dated 30.9.2013 under which demand charge is claimed by the 3rd respondent from the petitioner generation Plant and quash the same and consequently forbear the 3rd respondent, their men, agents, servants, subordinates or any other person or persons demanding and collecting separate demand charges based on Item 6.8(1)(c) of Para A.6 of the Tariff Schedule in Tariff Order in T.P.No.1 of 2013 dated 20.6.2013.

WP No.28438 of 2013:

Calling for the records of the 2nd respondent in the impugned instruction in 2nd respondent in Letter No. /CFC/ FC/ DFC/ AAO.HT/ AS.3/D.NO.126/13, dt 7.9.2013 and the consequent letters received from the 4th respondent Lr. NO. SE/ VEDC/VPM/ DFC/AO/ REV/ RCS/D.33/2013-14 dt 16.9.2013 billing start-up power under a two part tariff system and quash the same and to consequently direct the respondents herein to collect payment for start up power under Tariff III for non-crushing season and Tariff I for crushing season in terms of the Agreement and applicable Tariff orders.

WP No.28440 of 2013:

Calling for the records of the 2nd respondent in the impugned instruction in 2nd respondent in Letter No. /CFC/ FC/ DFC/ AAO.HT/ AS.3/D.NO.126/13, dt 7.9.2013 and the consequent letters received from the 4th respondent in Lr. NO. SE/ VEDC/VPM/ DFC/AO/ REV/ RCS/D.43/2013-14 16.09.2013 and the subsequent revised demand received in Cr.No. SE/VEDC/VPM/DFC/AO/REV/RCS/D43/2013-14 dt 5.10.2013 billing start-up power under a two part tariff system and quash the same and to consequently direct the respondents herein to forbear from demanding and collecting separate demand charges and energy charges as tariff for start up power and to charge as applicable to co-generation power plants.

WP No.28451 of 2013

Calling for the records of the 2nd respondent in the impugned instruction in Letter No. /CFC/ FC/ DFC/ AAO.HT/ AS.3/D.NO.126/13, dt 7.9.2013 and all consequential demands in respect of demand charges for start up power including the current consumption bill received from the 5th respondent for the month of Septemebr, 2013 in dated 2.10.2013 in respect of HT Service NO.284 and quash the same and to consequently direct the respondent herein to forbear from demanding and collecting separate demand charges and energy charges as tariff for start up power and to charge only energy charges.

WP No.28885 of 2013:

Calling for the records relating to the proceedings of the 1st respondent herein in Item 6.8(1)(c) High Tension-V applicable to start up power in Para 6.A the Tariff Schedule in Tariff Order in T.P.No.1 of 2013 dated 20.6.2013 and the consequential demand in Item Nos.8 and 13(c) of the Bill dated 1.10.2013 relating to HTSC.No.1988 of the petitioner under which demand charge and extra levy are claimed by the 3rd respondent from the petitioner generation Plant and quash the same and consequently forbear the 3rd respondent, their men, agents, servants, subordinates or any other person or persons demanding and collecting separate demand charges based on Item 6.8(1)(c) of Para A.6 of the Tariff Schedule in Tariff Order in T.P.No.1 of 2013 dated 20.06.2013.

WP No.28886 of 2013:

Calling for the records relating to the proceedings of the 1st respondent herein in Item 6.8(1)(c) High Tension-V applicable to start up power in Para 6.A the Tariff Schedule in Tariff Order in T.P.No.1 of 2013 dated 20.6.2013 and the consequential demand in Item Nos.8 of the Bill dated 1.10.2013 relating to HTSC.No.1989 of the petitioner under which demand charge and extra levy are claimed by the 3rd respondent from the petitioner generation Plant and quash the same and consequently forbear the 3rd respondent, their men, agents, servants, subordinates or any other person or persons demanding and collecting separate demand charges based on Item 6.8(1)(c) of Para A.6 of the Tariff Schedule in Tariff Order in T.P.No.1 of 2013 dated 20.06.2013.

WP No.28952 of 2013:

Calling for the records of the 2nd respondent in the impugned instruction in Letter No. /CFC/ FC/ DFC/ AAO.HT/ AS.3/D.NO.126/13, dated 7.9.2013 and all consequential letters including the fourth respondent Lr.No.SE/ CEDC/N/ AEE/Dev/AE/D2/F CPP/D/ 438/13 dated 25.9.2013 in respect of billing start up power under a two part tariff system and the current consumption bill dated 30.9.2013 for HT SC No.1686 for the month of September, 2013 received from the 5th respondent for an amount of Rs.16,23,190/- and quash the same and to consequently direct the respondent herein to forbear from demanding and collecting separate demand charges and energy charges as tariff for start up power and to charge only energy charges and to refundable amount of Rs.16,23,190/- (Rupees Sixteen Lakhs Twenty Three Thousand One hundred and Ninety only) that has already been paid by the Petitioner.

WP No.30433 of 2013:

Calling for the records relating to the proceedings of the 1st respondent herein in Item 6.8(1)(c) High Tension-V applicable to start up power in Para 6.A the Tariff Schedule in Tariff Order in T.P.No.1 of 2013 dated 20.6.2013 and the consequential demand in Item Nos.8 and 15 of the Bill dated 29.10.2013 under which demand charges is claimed by the 3rd respondent from the petitioner generation Plant and quash the same and consequently forbear the 3rd respondent, their men, agents, servants, subordinates or any ohter person or persons demanding and collecting separate demand charges based on Item 6.8(1)(c) of Para A.6 of the Tariff Schedule in Tariff Order in T.P.No.1 of 2013 dated 20.6.2013.

WP No.30502 of 2013:

Calling for the records of the 2nd respondent in the impugned instruction the 2nd respondent in Letter No. CFC/FC/DFC/AAO.HT/AS.3/D.NO.126/13 dt 7.9.2013, and the consequent letters received from the 4th respondent Lr. No. SE/TEDC/TNI/ DFC/ AS/ HT/D.No.292 dt 31.10.2013 billing start-up power under a two part tariff system and quash the same and to consequently direct the respondents herein to collect payment for start-up power under Tariff III for non-crushing season and

Tariff I for crushing season in terms of the Agreement and applicable Tariff orders.

WP No.30629 of 2013:

Calling for the records of the 2nd respondent in the impugned instruction the 2nd respondent in Letter No. / CFC/ FC/ DFC/ AAO.HT/ AS.3/ D.NO.126/13 dated 7.9.2013, and the consequent letters received from the 4th respondent Lr.No. SE/ TEDC/ RO/ Rev./ RCS/ A.1/ F.Start up power/ D.387/ 2013, dated 26.10.2013 billing start up power under a two part tariff system and quash the same and to consequently direct the respondents herein to collect payment for start up power under Tariff III for non crushing season and Tariff I for crushing season in terms of the Agreement.

WP No.30630 of 2013:

Calling for the records of the 2nd respondent in the impugned instruction the 2nd respondent in Letter No. / CFC/ FC/ DFC/ AAO.HT/ AS.3/ D.NO.126/13 dated 7.9.2013, and the consequent letters received from the 4th respondent Lr.No. SE/ VEDC/ VPM/ DFC/AO/ Rev./ RCS/ D.45/2013-14, dated 5.10.2013 billing start up power under a two part tariff system and quash the same and to consequently direct the respondents herein to collect payment for start up power under Tariff III for non crushing season and Tariff I for crushing season in terms of the Agreement.

WP No.31160 of 2013:

Calling for the records of the second respondent in the impugned instruction bearing Letter No../ CFC/FC/DFC/ AAO.HT/ AS.3/ D.No.126/13 dated 7.9.2013 and the consequent Letter No.SE/VEDC/ VPM/DFC/ AO/Rev/RCS/D.46/2013-14 dated 5.10.2013 received from the 4th respondent including billing start-up power under a two part Tariff System and the disconnection Notice issued by the 5th respondent vide his Letter No.SE/... EDC/ HT/Asst..../ F.HTSC No.84/ D84/2013 dated 7.11.2013 and to quash the same and refund any such amounts collected pursuant to such demand from the petitioner and cosnequently direct the respondent to collect payment under HT-IA Tariff for drawal of power by the petitioner in terms of the Agreement and applicable Tariff Orders.

WP No.33026 of 2013:

Calling for the records relating to the proceedings of the 1st respondent herein in Item 6.8(1)(c) High Tension V Applicable to start up power in Para 6A the Tariff schedule in Tariff order in T.P.No.1 of 2013 dated 20.6.2013 and the consequential demand Lr.No.SE/ REDC/ RMD/ DFC/ HT/ AS/F.

RREDL/D.NO.348/2013, dated 20.11.2013 under which demand charges are claimed by the 3rd respondent retrospectively from 1.8.2012 to 31.8.2013 from the petitioner generation plant and quash the same as illegal, arbitrary and untenable under law as the order dated 20.6.2013 was not in force on 1.8.2012 to 20.6.2013 to demand separate demand charges from the petitioner Generator.

WP No.33113 of 2013:

Calling for the records of the 2nd respondent in the impugned instruction the 2nd respondent in Letter No. /CFC/ FC/ DFC/ AAO.HT/ AS.3/D.NO.126/13, dated 7.9.2013 and the consequent letters received from the 4th respondent including Lr. No. SE/ PEDC/PBLR/AO/RCS/AS/F.HT.62/D. 297/13 dt 7.10.2013 for billing start-up power under HT Tariff - V temporary supply under two part tariff system and levying MD Charges and to quash the same and consequently direct the respondents herein to refund the amount paid by the petitioner under protest and to collect payment for start-up power under HT-IA for drawal of power during season and during off-season as per the applicable Tariff Orders or in the alternate direct that the petitioner be liable to pay the charges as applicable for Grid availability charges without levying MD Charges @ Rs.300/- (Rupees Three Hundred only) per KVA.

WP No.33151 of 2013:

Calling for the records of the 2nd respondent in the impugned instruction the 2nd respondent in Letter No. /CFC/ FC/ DFC/ AAO.HT/ AS.3/D.NO.126/13, dated 7.9.2013 and the consequent letters received from the 4th respondent including Lr. No. SE/TEDC/ M/TY/DFC/AS/HT/F.HT SC/No.197(EID)/D.No.71/13 dated 17.9.2013, Lr.No. SE/TEDC/M/TY/ DFC/AS/HT/F.HT SC/No.197(EID)/ D.No.80/13 dated 25.9.2013, Lr.No.SE/TEDC/M/TY/ DFC/AS/HT/F.HT SC.No.197(EID)/D.No.94/2013 dated 24.10.2013 and Lr.No.SE/TEDC/M/TY/ DFC/AS/HT/F.HT SC.No.197/D.No.112/2013 dated 18.11.2013 for billing start-up power under HT Tariff - V temporary supply under two part tariff system and levying MD Charges and to quash the same and consequently direct the respondents herein to refund the amount of Rs.10,76,196/- (Rupees Ten Lakhs Seventy Six Thousand One hundred and Ninety Six only) paid by the petitioner under protest towards MD charges and to collect payment to start up power under HT-1A for drawal at power during season and during off season as per the applicable Tariff Orders or in the alternate direct that the petitioner be liable to pay the charges as applicable for Grid availability charges without levying MD Charges @ Rs.300/- (Rupees Three Hundred only) per KVA.

WP No.33150 of 2013:

Calling for the records of the 2nd respondent in the impugned instruction the 2nd respondent in Letter No. /CFC/ FC/ DFC/ AAO.HT/ AS.3/D.NO.126/13, dated 7.9.2013 and the consequent demand notices received from the 4th respondent vide Lr. No. SE/CEDC/CUD/DFC/AO/AS/RCS/A4/F. Audit/13 dt 22.6.2013, Lr. No. SE/CEDC/CUD/DFC/ AO/Rev/RCS/AS/F.HT.SC 100-Tariff/2013 dt 23.10.2013 and Lr. No. SE/CEDC/ CUD/ DFC/ AO/ Rev/RCS/AS/F.HT.SC 100-Tariff/2013 dt 22.11.2013 and the current consumption bill dt 31.10.2013 received from the 5th respondent towards non-levy of temporary supply rate (tariff-V) for start up power of the co-generation plant thereby billing start-up power under a two part tariff system and to quash the same and consequently direct the respondents herein to refund the amount of Rs.35,58,450/- (Rupees Thirty Five Lakhs Fifty Eight Thousand Four hundred and Fifty only) paid by the petitioner under protest with interest @ 18% p.a., and to collect the payment for drawal of power during season and off season in terms of PPA and applicable Tariff Orders or in the alternative to collect payment for drawal of power under HT-1A both during season and off season.

WP No.33210 of 2013:

Calling for the records of the 2nd respondent in the impugned instruction the 2nd respondent in Letter No. /CFC/ FC/ DFC/ AAO.HT/ AS.3/D.NO.126/13, dated 7.9.2013 and the consequent demand received from the 4th respondent vide Lr. No. SE/PEDC/PDKT/DFC/AO/R/HT/FBILL/D.NO. 601 dt 23.9.2013 and the current consumption bill dt 30.9.2013 and 31.10.2013 received from the 5th respondent, deducting Rs.11,63,750 and Rs.13,18,125 being the amount towards HT-V Tariff for start up power/off season drawal of power for the co-generation plant and to quash the same and to consequently direct the respondents herein to refund the amount of Rs.24,81,875/- paid by the petitioner under protest and to collect payment for drawal of power during season and off season in terms of PPA and applicable Tariff Orders or in the alternative to collect payment for drawal of power under HT-1A both during season and off season.

WP No.33115 of 2013:

Calling for the records of the 2nd respondent in the impugned instruction the 2nd respondent in Letter No. /CFC/ FC/ DFC/ AAO.HT/ AS.3/D.NO.126/13, dated 7.9.2013 and the consequent demand notices Lr. No. SE/ CEDC/CUD/DFC/AO/REV/ RCS/AS/ F.HT.Sc 115/D.No. /2013 dt 12.11.2013 received from the 4th respondent and the current consumption bill NO.115 received from the 5th respondent dated 31.10.2013 billing start-up power under a two part tariff system and to quash the same and to consequently direct the respondents herein to refund the amount of Rs.4,00,125/- paid by the petitioner under protest and to collect payment for power availed under HT-IA for drawal of power during season and off-season in terms of the Agreement and applicable Tariff Orders or in the alternative, to collect payment for power availed under HT-1A for drawal of power availed under HT/1A for drawal of power during season and under HT/III for drawal of power off-season.

WP No.33116 of 2013:

Calling for the records of the 2nd respondent in the impugned instruction the 2nd respondent in Letter No. /CFC/ FC/ DFC/ AAO.HT/ AS.3/D.NO.126/13, dated 7.9.2013 and the consequent demand notices Lr. No. SE/TEDC/TJR/DFC/AO/R/RCS/AS/A1/ F.HT.34/D.No.672/2013 dt 7.11.2013 received from the 4th respondent and the current consumption bill NO.34 dt 31.10.2013 from the 5th respondent including billing start-up power under a two part tariff system and to quash the same and to consequently direct the respondents herein to refund the amount of Rs.2,20,255/- paid by the petitioner under protest and to collect payment for power availed under HT-IA for drawal of power during season and off-season in terms of the Agreement and applicable Tariff Orders or in the alternative, to collect payment for power availed under HT-1A for drawal of power during season and under HT/III for drawal of power off-season.

WP No.33117 of 2013:

Calling for the records of the 2nd respondent in the impugned instruction the 2nd respondent in Letter No. /CFC/ FC/ DFC/ AAO.HT/ AS.3/D.NO.126/13, dated 7.9.2013 and the consequent demand notice Lr. No. SE/ CEDC/CUD/DFC/AO/REV/ RCS/AS/ F.HT.Sc 114/D.No. /2013 dt 23.10.2013 received from the 4th respondent and the CC bill NO.114 dated 31.10.2013 received from the 5th respondent billing start-up power under a two part tariff system and to quash the same and to consequently direct the respondents herein to refund the amount of Rs.13,41,375/- paid by the petitioner under protest and to collect payment for power availed under HT-IA for drawal of power during season and off-season in terms of the Agreement and applicable Tariff Orders or in the alternative, to collect payment for power availed under HT/1A for drawal of power during season and under HT/III for drawal of power off-season.

WP No.33119 of 2013:

Calling for the records of the 2nd respondent in the impugned instruction the 2nd respondent in Letter No. /CFC/ FC/ DFC/ AAO.HT/ AS.3/D.NO.126/13, dated 7.9.2013 and the consequent letters received from the 4th respondent including Lr. No. SE/SEDC/SVGA/DFC/AS/HT SC/No.117/D.No.412/13 dated 19.9.2013, Lr.No. SE/SEDC/ SVGA/DFC/AS/HT SC/No.117/D.No.547/13 dated 11.11.2013 and Lr.No.SE/SEDC/SVGA/ DFC/HT/AS/HTSC.No.117/D.576/2013 dated 26.11.2013 directing the petitioner to pay the demand on or before 6.12.2013 without fail for billing start-up power under HT Tariff - V temporary supply under two part tariff system and levying MD Charges and to quash the same and consequently direct the respondents herein to collect payment for start up power under HT/1A for drawal of power during season and during off-season as per applicable Tariff Orders or in alternate direct that the petitioner be liable to payment charges as applicable for Grid availability charges without levying MD charges @ Rs.300/- (Rupees Three Hundred only) per KVA.

WP No.33118 of 2013:

Calling for the records of the 2nd respondent in the impugned instruction the 2nd respondent in Letter No. /CFC/ FC/ DFC/ AAO.HT/ AS.3/D.NO.126/13, dated 7.9.2013 and the consequent demand notice Lr. No. SE/TEDC/TJR/DFC/AO/R/RCS/A1/ F.HT.SC 77/D.No.673/2013 dt 7.11.2013 received from the 4th respondent and the current consumption bill NO.77 received from the 5th respondent dt 31.10.2013 including billing start-up power under a two part tariff system and to quash the same and to consequently direct the respondents herein to refund the amount of Rs.2,60,897/- paid by the petitioner under protest and to collect payment for power availed under HT-IA for drawal of power during season and off-season in terms of the Agreement and applicable Tariff Orders or in the alternative, to collect payment for power availed under HT/1A for drawal of power during season and under HT/III for drawal of power off-season.

WP No.33114 of 2013:

Calling for the records of the 2nd respondent in the impugned instruction the 2nd respondent in Letter No. /CFC/ FC/ DFC/ AAO.HT/ AS.3/D.NO.126/13, dated 7.9.2013 and the consequent demand notices received from the 4th respondent vide Lr. No. SE/TEDC/ M/ TY/ DFC/ AS/ F. HT SC No.158 Kothari/D. No. 95/2013, dt 23.10.2013 including the letter No. SE/ TEDC/ M/TY/ DFC/AS/HT/F.HT SC No. 158 Kothari/D.114/13, dt 18.11.2013 for billing start-up/import power under HT Tariff - V and levying of demand charges on the basis of sanctioned demand or recorded demand whichever is higher and to quash the same and to consequently direct the respondents herein to refund the amount paid by the petitioner under protest and to collect payment for power availed under HT/1A for drawal power during season and off season in terms of the Agreement and applicable Tariff Orders or in the alternative, to collect payment for power availed under HT/1A for drawal of power during season and under HT/III for drawal of power off-season.

WP No.34739 of 2013:

Calling for the records of the Second respondent relating to the impugned instruction in letter No.CFC/FC/DFC/AAO/HT/AS.3/D.NO.126/13 dated 7.9.2013 and the consequential impugned communication of the Fourth respondent in Letter No. SE/ NEDC/NGT/AO/RCS/AS/F.HTSC-084/D.693/13 dated 9.12.2013 quash the same.

WP No.35041 of 2013:

Calling for the records of the impugned letter receive from the 2nd respondent Lr.No. SE/ NEDC/ NGT/ AO/RCS/ AS/ F.HT SC-082/D.691/13 dated 09.12.2013 in as much as it seeks to assign a HT Service connection number and levy startup power charges from the petitioner and quash the same as being arbitrary and illegal.

WP No.35042 of 2013:

Calling for the records of the impugned letter received from the 2nd respondent Lr.No. SE/ NEDC/ NGT/ AO/RCS/ AS/ F.HT SC-087/D.699/13 dated 11.12.2013 in as much as it seeks to assign a HT Service connection number and levy startup power charges from the petitioner and quash the same as being arbitrary and illegal.

WP No.848 of 2014:

Calling for the records of the 2nd respondent in the impugned instruction the 2nd respondent in Letter No. /CFC/ FC/DFC/ AAO.HT/ AS.3/D.NO.126/13, dated 7.9.2013 and the consequent demand notices received from the 4th respondent in Lr.No.A/Cs.Br/ HT/A1/ F.HT SC 7/ D.1012/2013 dated 27.12.2013 and to quash the same and to consequently direct the respodnents to collect payment for drawal of power during season and off-season in terms of the PPA and applicable Tariff Orders, or in the alternative, to collect payment for drawal of power under HT 1A both during season and off-season.

WP No.869 of 2014:

Calling for the records of the 2nd respondent in the impugned instruction the 2nd respondent in Letter No. /CFC/ FC/DFC/ AAO.HT/ AS.3/D.NO.126/13, dated 7.9.2013 and the consequent letters received from the 4th respondent including Lr.No.A/Cs.Br/ HT/A1/ F.HT SC 299/ D.1022/2013 dated 30.12.2013 for billing start-up power under HT Tariff - V temporary supply under two part tariff system and levying MD Charges and to quash the same and consequently direct the respondents herein to collect payment for start-up power under HT-IA for drawal of power during season and during off-season as per the applicable Tariff Orders or in the alternate direct that the petitioner be liable to pay the charges as applicable for Grid Availability charges without levying MD charges @ Rs.300/- (Rupees Three Hundred only) per KVA.

WP No.14037 of 2014:

Calling for records relating to the impugned proceedings of the 2nd respondent viz. (i) Communication under Ref. Lr. No. SEM/AEEDEV/AEG/F.HT start up power/PR 574-2/14 dated 17.5.2014 and (ii) Demand notice in Lr.No.SEM/DFC/AOR/AS/HT/F.HT SC No.23/PR.53/14 dated 19.5.2014 in respect of the demand of Rs.3,51,45,062/- due and payable by the petitioner and quash the same and consequently forbear the respondents herein, their men, agents, servants, subordinates or any other person or persons claiming through them or authorized by them from, in any manner demanding or collecting Electricity charges from the petitioner in respect of HTSC No.23 under Tariff-V instead of Tariff 1A.

WP No.4924 of 2014:

Calling for the records of the 2nd respondent in the impugned instruction the 2nd respondent in Letter No. /CFC/ FC/DFC/ AAO.HT/ AS.3/D.No.126/13, dated 7.9.2013 and the consequent letters received from the 4th respondent including letter of the 4th respondent bearing No.SE/ GEDC/ GOBI/DFC/HT/ A2/F.HTSc. No.103/2014 dated 6.2.2014 and to quash the same and to consequently direct the respondents herein to refund any such amount collected pursuant to such demand and paid by the petitioner under protest and to collect payment for power under HT-IA for drawal of power by the petitioner.

WP No.14952 of 2014:

Calling for the records relating to the impugned proceedings 4th respondent Superintending Engineer, Mettur Electricity Distribution Circle, Respondent herein in Lr.No. SEM/AEEDEV/AEG/F.HT startup Power/PR 574-1/14, dated 17.5.2014 and consequential letter in Lr. No.SEM/DFC/AOR/AS/HT/F.HT SC No.17/PR.55/ 14 dated 19.5.2014 in respect of the demand of Rs.4,62,61,647/- and quash the same and consequently forbear the respondents herein, their men, agents, servants, subordinates or any other person or persons claiming through them or authorized by them from, in any manner demanding or collecting Electricity charges from the Petitioner in respect of HTSC No.17 under Tariff-V instead of Tariff 1A.

WP No.272 of 2014:

Calling for the records of the second respondent relating to the impugned instruction in Letter No. CFC/FC/DFC/AAO.HT/AS.3/D.NO.126/13 dated 7.9.2013 and the consequential impugned communication of the fourth respondent in Letter No. SE/ CEDC/N/AEE/Dev/AE/D2/FCPPD/438/13 dated 25.9.2013 quash the same.

WP No.6382 of 2014:

Calling for the records of the second respondent in the impugned instruction in Letter No. CFC/FC/DFC/ AAO.HT / AS.3/D.NO. 126 / 13 dt.07.09.2013 and all consequential demands in respect of demand charges for start-up power including the demand notice received from 4th respondent bearing No. SEM/ DFC / AOR /AS/ HT / F.Malco / PR.710/14 dt.19.02.2014 for the demand charges for the period from 21.06.2013 to 01/2014 in respect of service connection no.360 and quash the same and to consequently forbearing the Respondents herein from demanding and collecting separate demand charges and every charges as tariff for start-up power and to charge only energy charges.

WP No.17057 of 2014:

Calling for the records of the second respondent in the impugned instruction issued by the 2nd respondent by way of Lr.No.CFC/FC/DFC/AAO.HT/AS.3/D.NO.126/13 dated 7.9.2013 and all consequential current consumption bills received from the 5th respondent in respect of billing start up power under a two part tariff system and quash the same and to consequently direct the respondents to refund the amount already paid by the petitioner herein and to forbear from demanding and collecting separate demand charges and energy charges as tariff for start up power and to change only energy charges.

WP No.3522 of 2017:

forbearing the 2nd and 3rd respondents from demanding and collecting the demand charges and energy charges in full towards startup power charges from the petitioner in HT SC. No.1984 M/s.A.R.S. Metals Ltd, (Power Division), at S.F. No.207, Eguvarpalayam Village, Gummidipoondi, Thiruvallur District and consequently direct the respondents 2 and 3 to refund the excess charges collected from the petitioner against H.T. Tariff V 6.8 (1) (c) of the Tariff orders dated 20.06.2013 and 11.12.2014 together with interest.

FOR PETITIONER COUNSEL

AR.L.SUNDARESAN for AL.GANTHIMATHI,K.SESHADRI	:	in W.P.Nos.26266,28374 of 2013 14037 of 2014 & 3522 of 2017
M/S.R.PARTHASARATHY	:	in W.P.Nos.28093,28438,28440, 28451,31160,31133,33151,33150, 33210,33115,33116,33117,33119, 33118,33114,35041 of 2013 & 4924,14952,6382,848,869, 17057 of 2014
M/S.VINOD KUMAR	:	in W.P.Nos.26553,26554,27269, 27326,34739 of 2013 & 272 of 2014
M/S.SATHISH PARASARAN	:	in W.P.Nos.28093,28443,30502, 35042 of 2013
M/S.P.S.VASANTHAKUMAR	:	in W.P.No.27325 of 2013
MR.K.JAYACHANDRAN	:	in W.P.Nos.28885,28886 of 2013
M/S.R.S.PANDIYARAJ	:	in W.P.No.27324 of 2013
MR.M.S.KRISHNAN,S.C., for M/S.S.T.BALAJI	:	in W.P.Nos.27807,27808, 27841 of 2013
MR.RAHUL BALAJI	:	in W.P.No.28952 of 2013
M/S.ANIRUDH KRISHNAN	:	in W.P.Nos.30433,33026 of 2013
M/S.P.T.RAMADEVI	:	in W.P.Nos.30629,30630 of 2013

FOR RESPONDENTS COUNSEL

MR.L.JAI VENKATESH, Standing Counsel, TNEB	:	in All W.P's
MR.ABULKALAM, Standing Counsel	:	in All W.P's

COMMON ORDER

The subject matter of challenge in all these Writ Petitions pertains to the impugned instructions issued by the Chairman, TANGEDCO in Letter No: / CFC/FC/DFC/AAO.HT/AS.3/D.NO.126/13 dated 07.09.2013 and consequential letters and CC Bills, billing start-up power under a two-part tariff system and to consequently direct the Respondents to forbear from demanding and collecting separate demand charges and energy charges as tariff for start-up power and to charge only energy charges. Some Writ Petitions also challenge the implementation of this circular by assigning HT Service Connection for generators to enable levy of charge when such generators have not sought for start-up power.

2.The main issue in all these Writ Petitions relates to implementation of the charges concerning a generator’s start-up power pursuant to Tariff Order T.P No. 1 of 2013 dated 20th June, 2013 as issued by the TNERC for Determination of Tariff for Generation and Distribution.

3.It is important to understand the background of start-up power charges and the same is summarized hereunder:

> 3.1. The start-up power is an unavoidable requirement of certain categories of generating stations which enables the starting up of the generating units after a station shutdown/outage by drawing power from the grid. There are however different categories of generators with their own unique arrangements. The generators can be conventional coal based or gas-based generators, Captive generating plants, Cogen Plants, Bagasse based Cogen plants, Wind or Solar generators etc.
>
> 3.2. In some of the cases, such generators may have a separate arrangement within their plant for purposes of start-up and use either DG sets or another of their own generators and may not depend upon the grid for start-up. Further generators like Solar generators or Wind Generators may not require a start-up power to start generating their power due to the very nature of the source of power through which they operate.
>
> 3.3.The conventional generators and other generators using start-up power from the grid were charged at the

average billing rate of HT-III (commercial) category. This was in line with the tariff Order dated 15th May 2006, and the relevant clause is extracted hereunder.

> "5.22.3 Outage of Generator conditions and providing Start up Power:
>
> Para 8.5.6 of the National Tariff policy stipulates that in case of outages of generator supplying to a consumer on open access, standby arrangements should be provided by the licensee on payment of tariff for temporary connection to that consumer category as specified by the Appropriate Commission. The Commission has not specified any tariff for temporary supply to HT categories. However, it has been specified in the tariff order in force from 16-3-2003, that, the industries requiring HT supply during construction period shall be charged under HT tariff III (Applicable to commercial establishment and other categories of consumers not covered under HT tariff - IA, IIA, IIB and V) Accordingly, in case of outages of generator supplying to a consumer on open access, standby arrangements should be provided by the licensee to meet the demand of the open access beneficiary, on payment of consumption charges (energy charges plus the energy equated demand charges) applicable to HT tariff III, which is presently 621.81 paise per unit. Similarly, in case of drawal by the generator for start-up power from the Licensee, the generator shall be permitted to draw the start-up power on payment of consumption charges (energy charges plus the energy equated demand charges) applicable to HT tariff III, which is presently 621.81 paise per unit."

3.4. The tariff order dated 31.07.2010 provided for the billing under the HT-III tariff consisting of demand charges of Rs. 300/KVA/Month and energy charges of Rs 5.80 Rs/kWh and generators were billed for start-up power at the corresponding average billing rate of 7.02 Rs./kWh.

3.5. The TNERC, in the Tariff Order No.1 dated 30th March 2012, created a new tariff category i.e., High Tension Tariff V applicable for High Tension consumers availing temporary supply. The average billing rate for HT V category was fixed at Rs. 10.45/ kWh, which was inclusive of the energy charge fixed at Rs. 9.50/ kWh plus the demand charge of Rs. 300 /kVA/Month. The said charges of Rs. 10.45/ kWh was applicable to power plants availing start-up power by virtue of the provisions of the Tariff order dated 15th May 2006 and the Tariff Policy stipulated that standby power is to be provided on payment of tariff for HT temporary connection.

3.6. Accordingly, after the issuance of the tariff order dated 30th March 2012, all generators availing start-up power from the grid were charged at Rs. 10.45/ kWh. Subsequent to this tariff order, TANGEDCO through its circular bearing number Memo No. CFc/Rev/FC/Rev/AAO / Rev / AS-3/ D.No.67/12 dated 25-09-12 issued instructions to all its Superintending Engineers to collect the tariff at Rs.10.45/kWh w.e.f 01-04-2012 (energy charges 9.50 Rs./kWh and energy equated demand charges 0.95 Rs./kWh) from the generators of Biomass, Bagasse based co-generation, fossil fuel based generation and fossil fuel based co-generation, who draw power from the grid for startup.

4. During the FY 2013-14, the TANGEDCO filed a tariff petition wherein it was proposed to retain the same methodology for start-up power as has been reproduced hereunder:

"7.5 Grid Availability Charges

7.5.1 TANGEDCO in this petition is submitting for approval of energy charges plus the energy equated demand charges applicable to HT Temporary tariff as Grid Availability Charges.

TANGEDCO submits that the Grid Availability Charges are basically for providing standby arrangements to Open Access customers in the following cases:

- In case of outages of Generator supplying to an open access consumer.
- For start up power by generator.
- When the generation as per schedule is not maintained and when the drawal by the open access consumer is in excess of the schedule.

…

7.5.4 The Hon'ble commission in tariff order dated 30-3-2012 approved the separate tariff category to

HT temporary supply. (Page 324 of tariff order No 1 of 2012 dated 30.03.2012) and hence, it is prayed to fix the tariff of Grid availability Charges equivalent to energy charges plus energy equated demand charges applicable to HT Temporary supply."

5.Pursuant to the above, Tariff Order TP No. 1 of 2013 dated 20th June 2013, came to be passed by TNERC providing for grid availability charges and the relevant portions are extracted and hereunder:

"Grid Availability Charges

5.65 TANGEDCO in its petition has requested the Commission for approval of energy charges plus the energy equated demand charges applicable to HT Temporary supply tariff as Grid Availability Charges.

5.66 TANGEDCO submitted that the Grid Availability Charges are for providing standby arrangements to Open Access customers in the following cases:

- In case of outages of Generator supplying to an open access consumer.
- For start up power by generator.
- When the generation as per schedule is not maintained and when the drawal by the open access consumer is in excess of the schedule.

5.67 The tariff applicable to start-up power has been dealt in Tariff schedule of this Order…."

6.In the tariff schedule as per the aforementioned Tariff Order, tariff for HT-V category is retained at the same level as that of previous year.

"6.8 High Tension Tariff V

Tariff category	Tariff	
	Demand Charge in Rs/KVA/Month	Energy charge in Paise per kWh (Unit)
High Tension Tariff V	300	950

i. This tariff is applicable to temporary supply for construction and for other temporary purposes.

a) For this category of supply, the initial/in-principle approval for such construction or to conduct such temporary activity obtained by the applicant from the appropriate authority, wherever necessary, is adequate to effect the supply.

b) In case of conversion of temporary supply into applicable permanent supply, the same shall be done subject to compliance of codes/regulations/orders.

c) This tariff is also applicable to start-up power provided to generators. The generators are eligible to get start-up power under this tariff after declaration of CoD. The demand shall be limited to 10% of the highest capacity of the generating unit of the generating station or the percentage auxiliary consumption as specified in the regulation, whichever is less. The supply shall be restricted to 42 days in a year. Drawal of power for a day or part thereof shall be accounted as a day for this purpose. Power factor compensation charges are not applicable for start-up power."

7.In the Tariff Order, apparently, the TNERC did not make any change in the manner in which the start-up power is to be charged and it is stated that tariff applicable to start-up power has been dealt with in tariff schedule of this Order. As seen from the tariff schedule extracted above, the same has been listed under HT-V category which consists of both demand and energy charge components.

8.Pursuant to the above tariff order, TANGEDCO issued a circular in Memo.No.CFC/REV/FC/DFC/AAO/AS.3/F.TF.WI-3/D.110/13 dated 09th July 2013 and instructed the charging of start-up power based on the energy and energy equated demand charges of HT-V category. The relevant portions are extracted hereunder:

"1.3. Grid Availability Charges

1.3.1. Startup power charges :

1.3.1. It is stated that, from 21.06.2013 onwards, the generators are eligible to get startup power under HT Temporary supply tariff after declaration of COD. This shall be limited to 10% of the highest capacity of the generating unit of the generating station or the percentage auxiliary consumption as specified in the regulation, whichever is less. The supply shall be restricted to 42 days in a year. Drawal of power for a day or part thereof shall be accounted as a day for this purpose. All generators are to be billed at the HT Temporary supply rate under single part at Rs.10.68/Unit (which is equated demand and energy charges), where the supply is up to 42 days in a year (or) if it does not exceed the lower of 10% of the highest capacity of the generating unit of the generation plant or the percentage auxiliary consumption as specified in the regulation. If the above is not satisfied, the startup power is to be billed under HT Tariff V (Temporary supply) under two part system (i.e demand charges and energy separately)."

9. The tariff of Rs. 10.68/ kWh mentioned in the circular is based on the approved average billing rate (ABR) for HT-V category as per the Tariff Order TP No. 1 of 2013 for FY 2013-14. The proposed and approved ABR for this category as per the tariff order is explained hereunder:

Particulars	Unit	HT V - Temporary Tariff
Proposed Sales	MU	175
Proposed Revenue from Charges	Rs. crores	186
Proposed ABR	Rs./kWh	10.63
Approved Sales	MU	175
Approved Revenue from Charges	Rs. crores	187
Approved ABR	Rs./kWh	10.68

10.There was no controversy till this stage and the entire controversy arose when TANGEDCO issued its impugned circular "Lr. No./CFC/FC/DFC/AAO.HT/AS.3/D.NO.126/13" dated 07th September 2013, wherein the following observations and instructions were made/given.

"….8.4. From the above it could be clearly observed that if the above orders are read in conjunction with each other, it can be concluded that the startup power provided to generators has to be billed under HT Tariff V [Temporary supply] under two part tariff system (i.e) demand charges and energy charges separately. The Hon'ble Commission has not mentioned about energy plus energy equated demand charges.

9. In view of the above, the circular dated.25.09.2012(ref.1) and letter dated.18.06.2013 (ref.2) are hereby withdrawn. Further, the

instructions in the clause 1.3.1 and 1.3.1.2 issued vide Circular. Memo. No. CFC/ REV/ FC/ DFC/ AAO/ AS.3/ F.Tariff.WI-3/D.110/ 13,dated.09.07.2013 are modified as follows:

' 1.3.1. Startup power charges :

1.3.1. It is stated that, from 21.06.2013 onwards, the generators are eligible to get startup power under HT Temporary supply tariff [Temporary supply] under two part system (i.e demand charges and energy separately) after declaration of COD. This shall be limited to 10% of the highest capacity of the generating unit of the generating station or the percentage auxiliary consumption as specified in the Regulation, whichever is less. The supply shall be restricted to 42 days in a year. Drawal of power for a day or part thereof shall be accounted as a day for this purpose….'"

11.By virtue of the impugned circular, TANGEDCO started raising / revising bills towards start-up power based on two part tariff. The grievance of the petitioners is that the demand charges were made without any regard to the period during which the start-up power is availed and also that it was applied across the board without considering the specific issues/peculiarities with regard to different generators. Thereby the petitioners started complaining that the TANGEDCO is levying exorbitant charges much against the spirit of the order passed by the TNERC. In some of the Writ Petitions, there is also a grievance to the effect that such exorbitant charges were levied with retrospective effect. Aggrieved by the same, these batch of Writ Petitions have been filed before this court.

12. In the present batch of Writ petitions, the dispute revolves around the interpretation of the tariff order passed by TNERC in TP No 1 of 2013, dated 20.06.2013. And according to the Petitioner, TANGEDCO is misinterpreting the order to its advantage and causing serious financial implications to the Petitioners. Under normal circumstances, an application should have been filed before TNERC seeking for clarification. Since there was no quorum, the TNERC was not able to function during the relevant point of time and all these Writ Petitions came to be filed before this court.

13. Heard Mr.AR.L.Sundaresan, learned Senior Counsel, Mr.M.S.Krishnan, Senior Counsel and Mr.Rahul Balaji, Mr.Vinod Kumar, Mr.R.S.Pandiyaraj, Mr.P.S.Vasanthakumar, Mr.K.Jayachandran, learned counsel appearing for the petitioner

and Mr.Jaivenkagesh, learned Standing Counsel and Mr.M.Abulkalam, learned Standing Counsel appearing on behalf of the respondents.

14. The particulars of the Petitioners and the reliefs sought for by them are tabulated hereunder:

S. No	W.P.No	Name of Petitioner	Demand Notice date/Period of Demand	Prayer
1	26266/ 2013	A.R.S. Metals Ltd. Power Division	CC Bill dated 02.09.2013	Issue a Writ of Certiorarified Mandamus or any other Writ or order of direction in the nature of Writ of Certiorarified Mandamus calling for the proceedings of the 1st Respondent Item 6.8(1)(c) High Tension - V applicable to start up power in Para 6A of the Tariff Schedule in Tariff Order in T.P. No. 1 of 2013 dated 20.06.2013 and the consequential demand in item nos. 8 and 13(c) of the bill dated 02.09.2013 under which demand charge and extra levy are claimed by the 3rd Respondent from the petitioner generation plant and quash the same and consequently forbear the 3rd Respondent, their men, servants or agents, subordinates or any other person or persons demanding and collecting separate demand charges based on item 6.8(1)(c) of Para 6A of the Tariff Schedule in Tariff Order in T.P. No. 1 of 2013 dated 20.06.2013 and pass such further or order(s) as this Hon’ble Court may deem fit and proper in the facts and circumstances of the case and thus render justice.

2	28374/2013	Tulsyan NEC Ltd.	CC Bill dated 30.09.2013	Issue a Writ of Certiorarified Mandamus or any other Writ or order of direction in the nature of Writ of Certiorarified Mandamus calling for the proceedings of the 1st Respondent Item 6.8(1)(c) High Tension - V applicable to start up power in Para 6A of the Tariff Schedule in Tariff Order in T.P. No. 1 of 2013 dated 20.06.2013 and the consequential demand in item no. 8 of the bill dated 30.09.2013 under which demand charge is claimed by the 3rd Respondent from the petitioner generation plant and quash the same and consequently forbear the 3rd Respondent, their men, servants or agents, subordinates or any other person or persons demanding and collecting separate demand charges based on item 6.8(1)(c) of Para 6A of the Tariff Schedule in Tariff Order in T.P. No. 1 of 2013 dated 20.06.2013 and pass such further or order(s) as this Hon'ble Court may deem fit and proper in the facts and circumstances of the case and thus render justice.

3	14037/ 2014	Chemplast Sanmar Limited	Demand notice dated 19.05.2014	Issue a Writ of Certiorarified Mandamus or any other Writ or order of direction in the nature of Writ of Certiorarified Mandamus calling for the records relating to the impugned proceedings of the Second Respondent viz., (i) Communication under Ref: Lr. No. SEM/AEEDEV/AEG/F.HT start up power/PR 574-2/14 dated 17.05.2014 and (ii) demand notice in Lr. No. SEM/DFC/AOR/AS/Ht/F.HT SC No. 23/PR.53/14 dated 19.05.2014 in respect of the demand of Rs. 3,51,45,062/- due and payable by the Petitioner and quash the same and consequently forbear the Respondents herein, their men, agents, servants, subordinates or any other person or persons claiming through them or authorised by them from in any manner demanding or collecting Electricity charges from the Petitioner in respect of HTSC No. 23 under Tariff V instead of Tariff IA and pass such further or other order(s) as this Hon'ble Court may deem fit and proper in the facts and circumstances of the case and thus render justice.

4	3522/ 2017	A.R.S. Metals Ltd. Power Division		Issue a Writ of Mandamus or any other Writ or order of direction in the nature of Writ of Mandamus forbearing the 2nd and 3rd Respondents from demanding and collecting both the demand charges and energy charges towards startup power charges from the petitioner in HTSC No. 1984 M/s. ARS Metals Ltd. (Power Division) at S.F.No. 207, Eguvarpalayam Village, Gummidipoondi, Tiruvallur District and consequently direct the Respondents 2 and 3 to refund the excess charges collected from the Petitioner against HT Tariff V 6.8 (1)(c) of the Tariff orders dated 20.06.2013 and 11.12.2014 together with interest and pass such further or order(s) as this Hon'ble Court may deem fit and proper in the facts and circumstances of the case and thus render justice.

5	28093/ 2013	OPG Renewable Energy	Demand notice dated 25.09.2013	Issue a Writ of Certiorarified Mandamus or any other Writ or order of direction in the nature of Writ of Certiorarified Mandamus calling for the records of the Second Respondent in the impugned instruction in Letter No: / CFC/FC/DFC/AAO.HT/AS.3/D.NO.126/13 dated 7.9.2013 and the consequential letters received from the 4th respondent Lr. No. SE/CEDC/N/AEE/Dev/AE/D2/F CPP/D/438/13 dated 25.09.2013 for billing start-up power under a two part tariff system and quash the same and to consequently direct the respondents herein to forbear from demanding and collecting separate demand charges and energy charges as tariff for start-up power and to charge only energy charges and pass such further or order(s) as this Hon'ble Court may deem fit and proper in the facts and circumstances of the case and thus render justice.

6	28443/ 2013	OPG power Generation	Demand notice dated 25.09.2013	Issue a Writ of Certiorarified Mandamus or any other Writ or order of direction in the nature of Writ of Certiorarified Mandamus calling for the records of the Second Respondent in the impugned instruction in Letter No: / CFC/FC/DFC/AAO.HT/AS.3/D.NO.126/13 dated 7.9.2013 and all consequential letters including the 4th respondent Lr. No. SE/CEDC/N/AEE/Dev/AE/D2/F CPP/D/438/13 dated 25.09.2013 billing start-up power under a two part tariff system and quash the same and to consequently direct the respondents herein to forbear from demanding and collecting separate demand charges and energy charges as tariff for start-up power and to charge only energy charges and pass such further or order(s) as this Hon'ble Court may deem fit and proper in the facts and circumstances of the case and thus render justice.

7	28438/ 2013	Rajshree Sugars and Chemicals	Demand notice dated 16.09.2013	Issue a Writ of Certiorarified Mandamus or any other Writ or order of direction in the nature of Writ of Certiorarified Mandamus calling for the records of the Second Respondent in the impugned instruction in Letter No: / CFC/FC/DFC/AAO.HT/AS.3/D.NO.126/13 dated 7.9.2013 and the consequential letters received from the 4th respondent Lr. No. SE/VEDC/VPM/DFC/AO/Rev/RCS/D.33/2013-14 dated 16.09.2013 billing start-up power under a two part tariff system and quash the same and to consequently direct the respondents herein to collect payment for start-up power under Tariff III for non-crushing season and Tariff I for crushing season in terms of the Agreement and applicable Tariff Orders and pass such further or other order(s) as this Hon'ble Court may deem fit and proper in the facts and circumstances of the case and thus render justice.

8.	28440/2013	Rajshree Sugars and Chemicals	Demand notices dated 16.09.2013 & 05.10.2013	Issue a Writ of Certiorarified Mandamus or any other Writ or order of direction in the nature of Writ of Certiorarified Mandamus calling for the records of the Second Respondent in the impugned instruction in Letter No:/ CFC/ FC/DFC/AAO.HT/AS.3/D.NO.126/13 dated 7.9.2013 and the consequential letters received from the 4th respondent Lr.No. SE/VEDC/VPM/DFC/AO/Rev/RCS/D.34/2013-14 dated 16.09.2013 and the subsequent revised demand received in Lr.No.SE/VEDC/ VPM/DFC/AO/Rev/RCS/D.43/2013-14 dated 05.10.2013 billing start-up power under a two part tariff system and quash the same and to consequently direct the respondents herein to forbear from demanding and collecting separate demand charges and energy charges as tariff for start-up power and to charge only energy charges as applicable to Cogen power plants and pass such further or other order(s) as this Hon'ble Court may deem fit and proper in the facts and circumstances of the case and thus render justice.

9.	28451/2013	Sesa Sterlite Ltd.	CC Bill dated 30.09.2013 for the period September 2013.	Issue a Writ of Certiorarified Mandamus or any other Writ or order of direction in the nature of Writ of Certiorarified Mandamus calling for the records of the Second Respondent in the impugned instruction in Letter No: / CFC/FC/DFC/AAO.HT/AS.3/D.NO.126/13 dated 7.9.2013 and all consequential demands in respect of demand charges for start-up power including the current consumption bill received from the fifth respondent for the month of September, 2013 in dated 02.10.2013 in respect of HT Service No. 284 and quash the same and to consequently direct the respondents herein to forbear from demanding and collecting separate demand charges and energy charges as tariff for start-up power and to charge only energy charges and pass such further or other order (s) as this Hon'ble Court may deem fit and proper in the facts and circumstances of the case and thus render justice.

10	28952/ 2013	TCP Ltd.	Demand notice dated 25.09.2013 for the period September 2013. CC Bill dated 30.09.2013	Issue a Writ of Certiorarified Mandamus or any other Writ or order of direction in the nature of Writ of Certiorarified Mandamus calling for the records of the Second Respondent in the impugned instruction in Letter No: / CFC/FC/DFC/AAO.HT/AS.3/D.NO.126/13 dated 7.9.2013 and all consequential letters including the fourth respondent's Lr. No. SE/CEDC/N/AEE/Dev/AE/D2/F CPP/D/438/13 dated 25.09.2013 in respect of billing start-up power under a two part tariff system and the current consumption bil dated 30.09.2013 for HT SC No. 1686 for the month of September, 2013 received from the 5th Respondent for an amount of Rs. 16,23,190 and quash the same and to consequently direct the respondents herein to forbear from demanding and collecting separate demand charges and energy charges as tariff for start-up power and to charge only energy charges and to refund the amount of Rs. 16,23,190 that has already been paid by the petitioner and pass such further or other order(s) as this Hon'ble Court may deem fit and proper in the facts and circumstances of the case and thus render justice.

11	30502/ 2013	Rajshree Sugars and Chemicals	Demand notice dated 31.10.2013	Issue a Writ of Certiorarified Mandamus or any other Writ or order of direction in the nature of Writ of Certiorarified Mandamus calling for the records of the Second Respondent in the impugned instruction in Letter No: / CFC/FC/DFC/AAO.HT/AS.3/D.NO.126/13 dated 7.9.2013 and the consequential letter received from the 4th respondent Lr. No. SE/TEDC/TNI/DFC/AS/HT/D.NO 292 dated 31.10.2013 billing start-up power under a two part tariff system and quash the same and to consequently direct the respondents herein to collect payment for start-up power under Tariff III for non-crushing season and Tariff I for crushing season in terms of the Agreement and applicable Tariff Orders and pass such further or other order(s) as this Hon'ble Court may deem fit and proper in the facts and circumstances of the case and thus render justice.

12	31160/ 2013	Madras Sugars Ltd	Demand notice dated 05.10.2013. Disconnection notice dated 07.11.2013.	Issue a Writ of Certiorarified Mandamus or any other Writ or order of direction in the nature of Writ of Certiorarified Mandamus calling for the records of the Second Respondent in the impugned instruction in Letter No: CFC/FC/DFC/AAO.HT/AS.3/D.NO.126/13 dated 7.9.2013 and the consequential letters received from the 4th respondent Lr. No. SE/VEDC/VPM/DFC/AO/Rev/RCS/D.46/2013-14 dated 05.10.2013 billing start-up power under a two part tariff system and the disconnection notice issued by the 5th respondent vide Letter No.SE/...EDC/HT/Asst…./FHTSC. NO.84/D84/2013 dated 07.11.2013 and quash the same and refund any such amounts collected pursuant to such demand from the petitioner and consequently direct the Respondent to collect payment under HT-IA Tariff for drawal of power by the petitioner in terms of Agreement and applicable Tariff orders and pass such further or order(s) as this Hon'ble Court may deem fit and proper in the facts and circumstances of the case and thus render justice.

13	33113/ 2013	M/s. Kothari Sugars and	Demand notice dated 07.10.2013	Issue a Writ of Certiorarified Mandamus or any other Writ or order of direction in the nature of Writ of Certiorarified Mandamus calling for the records of the Second Respondent in the impugned instruction in Letter No: CFC/FC/DFC/AAO.HT/AS.3/D.NO.126/13 dated 7.9.2013 and the consequential letters received from the 4th respondent Lr. No. SE/PEDC/PBLR/AO/RCS/AS/F.HT.62/D.297/13 dated 07.10.2013 billing start-up power under HT Tariff - V temporary supply under two part tariff system and levying MD charges and to quash the same and consequently direct the Respondents to refund the amount paid by the petitioner under protest and to collect payment for start-up power under HT-IA for drawal of power during season and offseason as per the applicable Tariff Orders or in the alternates direct that the Petitioner be liable to pay the charges as applicable for Grid Availability Charges without levying MD charges 2 Rs. 300 per KVA and pass such further or other order(s) as this Hon’ble Court may deem fit and proper in the facts and circumstances of the case and thus render justice.

14	33151/ 2013	EID Parry (India) Ltd.	Demand notices dated 22.06.2013, 23.10.2013 & 22.11.2013. CC Bill dated 31.10.2013.	Issue a Writ of Certiorarified Mandamus or any other Writ or order of direction in the nature of Writ of Certiorarified Mandamus calling for the records of the Second Respondent in the impugned instruction in Letter No: CFC/FC/DFC/AAO.HT/AS.3/D.NO.126/13 dated 7.9.2013 and the consequential demand notices received from the 4th respondent vide Lr. No. SE/CEDC/CUD/DFC/AO/Rev/RCS/A4 / Audit/13 dated 22.06.2013; Lr. No. SE/CEDC/CUD/DFC/AO/Rev/RCS/AS/F.HT .SC100-Tarrif/2013 dated 23.10.2013 and Lr. No. SE/CEDC/CUD/DFC/AO/Rev/RCS/AS/F.HT .SC100-Tariff/2013 dated 22.11.2013 and the current consumption bill received from the 5th respondent dated 31.10.2013, towards non levy of temporary supply rate (tariff - V) for start up power of the co-generation plant thereby billing start-up power under a two part tariff system and to quash the same and consequently direct the respondents to refund an amount of Rs.35,58,450 paid by the petitioner under protest with interest @ 18% p.a. And to collect payment drawal of power during season and off season in therms of the PPA and applicable Tariff Orders or alternatively collect payment for drawal of power under HTIA both during season and off season and pass such further or other order(s) as this Hon'ble Court may deem fit and proper in the facts and circumstances of the case and thus render justice.

15	33150/ 2013	EID Parry (India) Ltd.	Demand notices dated 17.09.2013, 25.09.2013, 24.10.2013 & 18.11.2013	Issue a Writ of Certiorarified Mandamus or any other Writ or order of direction in the nature of Writ of Certiorarified Mandamus calling for the records of the Second Respondent in the impugned instruction in Letter No: CFC/ FC/DFC/AAO.HT/AS.3/D.NO.126/13 dated 7.9.2013 and the consequential letters received from the 4th respondent including Lr.No.SE/TEDC/M/TY/ DFC/AS/HT/F.HT Sc.No. 197(EID)/D.No.71/2013 dated 17.09.2013, SE/TEDC/M/TY/DFC/AS/HT/F.HT Sc.No.197(EID)/D.No 80/2013 dated 25.09.2013, Lr.No SE/TEDC/M/TY/DFC/AS/HT/F.HT Sc.No. 197(EID)/D.No 94/2013 dated 24.10.2013 and LR.nOSE/TEDC/M/TY/DFC/AS/HT/F.HT Sc.No. 197(EID)/D.No 112/2013 dated 18.11.2013 for billing start-up power under HT Tariff - V temporary supply under a two part tariff system and levying MD charges and to quash the same and consequently direct the respondents to refund the amount of Rs. 10,76,196/- paid by the petitioner under protest towards the MD Charges and to collect payment for start-up power under HT-IA for drawal of power during season and off-season as per the applicable Tariff Orders or in the alternate direct the petitioner be liable to pay the charges as applicable for Grid Availability Charges without levying MD Charges as applicable for Grid availability Charges without levying MD Charges @ Rs.300 per KVA and pass such further or other order(s) as this Hon'ble Court may deem fit and proper in the facts and circumstances of the case and thus render justice.

16	33210/ 2013	EID Parry (India) Ltd	Demand notice dated 23.09.2013. CC Bills dated 30.09.2013 & 31.10.2013.	Issue a Writ of Certiorarified Mandamus or any other Writ or order of direction in the nature of Writ of Certiorarified Mandamus calling for the records of the Second Respondent in the impugned instruction in Letter No: CFC / FC /DFC / AAO.HT /AS.3 / D.NO.126/13 dated 7.9.2013 and the consequential demand notices received from the 4th respondent vide Lr. No. SE/PEDC/PDKT/DFC/AO.HT/FBILL/D.No. 601 dated 23.09.2013 and the current consumption bills from 5th respondent dated 30.09.2013 and 31.10.2013, deducting Rs11,63,750/- and Rs13,18,125/- being the amount towards HT-V Tariff to start up power / off season drawal of power for the co-generation plant and to qush the same and to consequently direct the respondent to refund the amount of Rs 24,81,875/- paid by the petitioner under protest and to collect payment for drawal of power during season and off-season in terms of PPA and applicable Tariff Orders or alternatively collect payment for drawal of power under HT IA noth during season and off- season and pass such further or other order(s) as this Hon’ble Court may deem fit and proper in the facts and circumstances of the case and thus render justice.

17	33115/ 2013	Terra Energ y Ltd. (Unde r CIRP)	Demand notice dated 12.11.2013. CC Bill dated 31.10.2013.	Issue a Writ of Certiorarified Mandamus or any other Writ or order of direction in the nature of Writ of Certiorarified Mandamus calling for the records of the Second Respondent in the impugned instruction in Letter No: CFC/FC/DFC/AAO.HT/AS.3/D.NO. 126/13 dated 7.9.2013 and the consequential demand notice received from the 4th respondent including Lr.No. SE/CEDC/CUD/ DFC/AO/Rev/RCS/AS/ F.HT.SC 115/DNo._____ /2013 dated 12.11.2013 received from the 4th respondent and the current consumption bill No.115 from the 5th respondent dated 31.10.2013 billing start up power under a two part tariff system and to quash the same and consequently direct the respondents to refund the amount of Rs. 4,00,125/- paid by the petitioner and collect payment for power availed under HT-IA for drawal of power during season and under HT-III for drawal of power off-season and pass such further or other order(s) as this Hon'ble Court may deem fit and proper in the facts and circumstances of the case and thus render justice.

18	33116/ 2013	Terra Energy Ltd. (Under CIRP)	Demand notice dated 7.11.2013. CC Bill dated 31.10.2013.	Issue a Writ of Certiorarified Mandamus or any other Writ or order of direction in the nature of Writ of Certiorarified Mandamus calling for the records of the Second Respondent in the impugned instruction in Letter No: CFC/FC/DFC/AAO.HT/AS.3/D.NO.126/13 dated 7.9.2013 and the consequential demand notice received from the 4th respondent including Lr. No. SE/TEDC/TJR/DFC/AO/R/RCS/AS/A1/F.HT.34/D.No.672/2013 dated 07.11.2013 and the current consumption bill No. 34 dated 31.10.2013 received from the 5th respondent including billing startup power under a two part tariff system and to quash the same and consequently direct the respondents to refund the amount of Rs2,20,255/- paid by the petitioner under protest and to collect payment for power availed under HT-IA for drawal of power during season and off-season in terms of the Agreement and applicable Tariff Orders, or , alternatively collect payment for power availed under HT-IA for drawal of power during season and under HT-III for drawal of power off-season and pass such further or other order(s) as this Hon'ble Court may deem fit and proper in the facts and circumstances of the case and thus render justice.

19	33117/ 2013	Shree Ambika Sugars Ltd. (Under CIRP)	Demand notice dated 7.11.2013. CC Bill dated 31.10.2013.	Issue a Writ of Certiorarified Mandamus or any other Writ or order of direction in the nature of Writ of Certiorarified Mandamus calling for the records of the Second Respondent in the impugned instruction in Letter No: CFC/FC/DFC/AAO.HT/AS.3/D.NO.126/13 dated 7.9.2013 and the consequential demand notice received from the 4th respondent including Lr. No. SE/TEDC/TJR/DFC/AO/Rev/RCS/A1F.HT. SC77/D.No.673/2013 dated 07.11.2013 and the current consumption bill No.77 received from the 5th respondent dated 31.10.2013 including billing start-up power under a two part tariff system and to quash the same and to consequently direct the respondents to refund the amount of Rs.2,60,897/- paid by the petitioner under protest and to collect payment for power availed under HT-IA for drawal of power during season and off-season in terms of the Agreement and applicable Tariff Orders, or alternatively to collect payment for power availed under HT-IA for drawal of power during season and under HT-III for drawal of power off-season and pass such further or other order(s) as this Hon'ble Court may deem fit and proper in the facts and circumstances of the case and thus render justice.

20	33119/ 2013	Sakthi Sugars Ltd.	Demand notices dated 12.11.2013. CC Bill dated 31.10.2013	Issue a Writ of Certiorarified Mandamus or any other Writ or order of direction in the nature of Writ of Certiorarified Mandamus calling for the records of the Second Respondent in the impugned instruction in Letter No: / CFC/FC/DFC/AAO.HT/AS.3/D.NO.126/13 dated 7.9.2013 and all consequential letters including the fourth respondent's Lr. No. SE/SEDC/SVGA/DFC/AS/HTSC No.117/D.No.412/13 dated 19.09.2013, Lr. No. SE/SEDC/SVGA/DFC/AS/HTSC No.117/D.No.547/13 DATED 11.11.2013 and Lr. No. SE/SEDC/SVGA/DFC/AS/HTSC No.117/D.No.576/13 dated 26.11.2013 directing the petitioner to pay the demand on or before 06.12.2013 for billing start-up power under HT Tariff - V temporary supply under a two part tariff system and levying MD charges and to quash the same and consequently direct the respondents to collect payment for start-up power under HT-IA for drawal of power during season and off-season as per the applicable Tariff Orders or in the alternate direct the petitioner be liable to pay the charges as applicable for Grid Availability Charges without levying MD Charges as applicable for Grid availability Charges without levying MD Charges @ Rs.300 per KVA and pass such further or other order(s) as this Hon'ble Court may deem fit and proper in the facts and circumstances of the case and thus render justice.

21	33118/ 2013	Shree Ambika Sugars Ltd. (Under CIRP)	Demand notice dated 23.10.2013. CC Bill dated 3.10.2013.	Issue a Writ of Certiorarified Mandamus or any other Writ or order of direction in the nature of Writ of Certiorarified Mandamus calling for the records of the Second Respondent in the impugned instruction in Letter No: CFC/FC/DFC/AAO.HT/AS.3/D.NO.126/13 dated 7.9.2013 and the consequential demand notice received from the 4th respondent including Lr. No. SE/CEDC/CUD/DFC/AO/Rev/RCS/AS/ F.HT.SC 114/D.No./2013 dated 2310.2013 and the CC Bill No 114 dated 31.10.2013 received by the 5th respondent including billing start-up power under a two part tariff system and to quash the same and to consequently direct the respondents to refund the amount of Rs.13,41,375/- paid by the petitioner under protest and to collect payment for power availed under HT-IA for drawal of power during season and off-season in terms of the Agreement and applicable Tariff Orders, or alternatively to collect payment for power availed under HT-IA for drawal of power during season and under HT-III for drawal of power off-season and pass such further or other order(s) as this Hon'ble Court may deem fit and proper in the facts and circumstances of the case and thus render justice.

22	33114/2013	M/s. Kothari Sugars	Demand notices dated 23.10.2013& 18.11.2013	Issue a Writ of Certiorarified Mandamus or any other Writ or order of direction in the nature of Writ of Certiorarified Mandamus calling for the records of the Second Respondent in the impugned instruction in Letter No: / CFC/FC/DFC/AAO.HT/AS.3/D.NO.126/13 dated 7.9.2013 and all consequential letters including the fourth respondent's Lr. No. SE/TEDC/M/TY/DFC/AS/HT/F.HT Sc No.158 Kothari/D. No. 95/2013 dated 23.10.2013 including the letter No. SE/TEDC/M/TY/DFC/AS/HT/F.HT Sc No 158 Kothari/D. No. 114/13 dated 18.11.2013 for billing of start-up/import power under HT Tariff V and levying of demand charges on the basis of sanctioned demand or recorded demand whichever is higher and to quash the same and to consequently direct the respondents to refund the amount paid by the petitioner under protest and to collect payment for power availed under HT-IA for drawal of power during season and off-season in terms of the Agreement and Applicable Tariff Orders or alternatively collect payment for power availed under HT-IA for drawal of power during season and under HT-III for drawal of power off-season and pass such further or other order(s) as this Hon'ble Court may deem fit and proper in the facts and circumstances of the case and thus render justice.

23	35041/ 2013	MMS Steel & power Pvt. Ltd.		Issue a Writ of Certiorari or any other order or order of direction in the nature of Writ of Certiorari calling for the records of the Second Respondent in the impugned instruction in Letter No SE/NEDC/NGT/AO/RCS/AS/F.HT SC-082/D.691/13 dated 09.12.2013 in as much as it seeks to assign a HT Service connection number and levy startup power charges from the petitioner and quash the same as being arbitrary and illegal and pass such other order that this Hon'ble Court may deem it fit under the facts and circumstances of the Case.
24	35042/ 2013	MMS Steel & power Pvt. Ltd.		Issue a Writ of Certiorari or any other order or order of direction in the nature of Writ of Certiorari calling for the records of the Second Respondent in the impugned instruction in Letter No SE/NEDC/NGT/AO/RCS/AS/F.HT SC-087/D.699/13 dated 11.12.2013 in as much as it seeks to assign a HT Service connection number and levy startup power charges from the petitioner and quash the same as being arbitrary and illegal and pass such other order that this Hon'ble Court may deem it fit under the facts and circumstances of the Case.

25	848/ 2014	Sakthi Sugars Limited	Demand notice dated 27.12.2013.	Issue a Writ of Certiorarified Mandamus or any other Writ or order of direction in the nature of Writ of Certiorarified Mandamus calling for the records of the Second Respondent in the impugned instruction in Letter No: CFC/FC/DFC/AAO.HT/AS.3/D.NO.126/13 dated 7.9.2013 and the consequential demand notice received from the 4th respondent including Lr. No. A/cs.Br/HT/A 1/F.HT SC 7/D.1012/2013 dated 27.12.2013 and to quash the same and to consequently direct the respondents to collect payment for drawal of power during season and off- season in terms of the PPA and applicable Tariff Orders or alternatively to collect payment for drawal of power under HT-IA for drawal of power during season and off-season and pass such further or other order(s) as this Hon’ble Court may deem fit and proper in the facts and circumstances of the case and thus render justice.

26	869/ 2014	Sakthi Sugars Limited	Demand notice dated 30.12.2013	Issue a Writ of Certiorarified Mandamus or any other Writ or order of direction in the nature of Writ of Certiorarified Mandamus calling for the records of the Second Respondent in the impugned instruction in Letter No:/CFC/FC/DFC/AAO.HT/AS.3/D.NO.126/13 dated 7.9.2013 and all consequential letters including the fourth respondent's Lr. No.A/cs.Br/HT/A 1/F.HT SC 299/D.1022/2013 dated 30.12.2013 for billing start-up power under HT Tariff - V temporary supply under a two part tariff system and levying MD charges and to quash the same and consequently direct the respondents to collect payment for start-up power under HT-IA for drawal of power during season and off-season as per the applicable Tariff Orders or in the alternate direct the petitioner be liable to pay the charges as applicable for Grid Availability Charges without levying MD Charges as applicable for Grid availability Charges without levying MD Charges @ Rs.300 per KVA and pass such further or other order(s) as this Hon'ble Court may deem fit and proper in the facts and circumstances of the case and thus render justice.

27	4924/ 2014	Bannari Amman Sugars Ltd.	Demand notice dated 06.02.2014	Issue a Writ of Certiorarified Mandamus or any other Writ or order of direction in the nature of Writ of Certiorarified Mandamus calling for the records of the Second Respondent in the impugned instruction in Letter No:/CFC/FC/DFC/AAO.HT/AS.3/D.NO.126/13 dated 7.9.2013 and the consequential letters received from the 4th respondent Lr. No. SE/GEDC/GOBI/DFC/HT/A2/F.HT Sc. No. 103/2014 dated 06.02.2014 and to quash the same and consequently direct the respondents to refund such amount collected pursuant to such demand and paid by the petitioner and collect payment for power under HT-IA for drawal of power by the Petitioner and pass such further or other order(s) as this Hon'ble Court may deem fit and proper in the facts and circumstances of the case and thus render justice.

28	14952/ 2014	Sesha sayee Paper and	Demand notices dated 17.05.2014 & 19.05.2014	Issue a Writ of Certiorarified Mandamus or any other Writ or order of direction in the nature of Writ of Certiorarified Mandamus calling for records relating to the impugned proceedings 4th Respondent in Lr. No. SEM/AEEDEV/AEG/F.HT start up power/PR 574-1/14 dated 17.05.2014 and the consequential letter in Lr. No. SEM/DFC/AOR/AS/HT/F.HT SC No. 17/PR 55/14 dated 19.05.2014 in respect of demand of Rs. 4,62,61,647/- and quash the same and consequently forbear the respondents, their men, agents, servants, subordinates or any other person or persons claiming through them or authorised by them from, in any manner demanding or collecting Electricity Charges from the petitioner in respect of HTSC No. 17 under Tariff-V instead of Tariff 1A, and pass such further or other order(s) as this Hon'ble Court may deem fit and proper in the facts and circumstances of the case and thus render justice.

29	17057/2014	OPG Energy Private Ltd		Issue a Writ of Certiorarified Mandamus or any other Writ or order of direction in the nature of Writ of Certiorarified Mandamus calling for the records of the Second Respondent in the impugned instruction in Letter No:CFC/FC/DFC/AAO.HT/AS.3/D.NO.126/13 dated 7.9.2013 and all consequential current consumption bills received from the 5th respondent for billing start-up power under a two part tariff system and quash the same and to consequently direct the respondents refund the amount already paid by the petitioner and to forbear from demanding and collecting separate demand charges and energy charges as tariff for start-up power and to charge only energy charges and pass such further or order(s) as this Hon'ble Court may deem fit and proper in the facts and circumstances of the case and thus render justice.

30	7936/ 202	Nagai Power Private Ltd		Issue a Writ of Certiorarified Mandamus to call for the records contained in the Current Consumption Bills for the period October, 2019 to March, 2020 issued by the 4th Respondent and quash them for being against the provisions of the order passed in T.P.No. 1 of 2017 and Tamil Nadu Open Access Regulations 2014 and direct the Respondents to collect start up power charges strictly in accordance with the regulation and the tariff order issued by the Hon'ble Commission and direct the respondents to charge start-up power charges only by taking into account the days when such start up power is actually allowed and consequently direct the respondents to refund any sums that are collected contrary to the regulation and the tariff orders passed by this Hon'ble Commission and thus render justice.
31	26553/ 2013	Biomass Power Producers Association	Demand notice dated 12.9.2013	In the aforesaid circumstances, it is further prayed that this Hon'ble Court may be pleased to issue a Writ of certiorari or any other Writ or order or direction in the nature of Writ of certiorari calling for the records of the Second Respondent relating to the impugned instruction in Letter No:/CFC/FC/DFC/AAO.HT/AS.3/D.NO.126/13 dated 7.9.2013 and quash the same and pass such further or other order(s) as this Hon'ble Court may deem fit and proper in the facts and circumstances of the case and thus render justice.

32	26554/ 2013	Cauvery Power Generation Chennai Pvt. Ltd. (Under CIRP		In the aforesaid circumstances, it is further prayed that this Hon'ble Court may be pleased to issue a Writ of certiorari or any other Writ or order or direction in the nature of Writ of certiorari calling for the records of the Second Respondent relating to the impugned instruction in Letter No: /CFC /FC / DFC / AAO.HT /AS.3 /D.NO.126 / 13 dated 7.9.2013 and quash the same and pass such further or other order (s) as this Hon'ble Court may deem fit and proper in the facts and circumstances of the case and thus render justice.
33	27269/ 2013	Suryadev Alloys and Power Pvt. Ltd.		For the reasons stated in the accompanying affidavit, it is prayed that this Hon'ble Court may be pleased to issue a Writ of certiorari or any other Writ or order or direction in the nature of Writ of certiorari calling for the records of the Second Respondent relating to the impugned instruction in Letter No: :/ CFC/FC/DFC/AAO.HT/AS.3/D.NO.126/13 dated 7.9.2013 and quash the same and pass such further or other order(s) as this Hon'ble Court may deem fit and proper in the facts and circumstances of the case and thus render justice.

34	27326/ 2013	Bhatia and Coke Ltd. (Under CIRP)		In the aforesaid circumstances, it is further prayed that this Hon'ble Court may be pleased to issue a Writ of certiorari or any other Writ or order or direction in the nature of Writ of certiorari calling for the records of the Second Respondent relating to the impugned instruction in Letter No:/CFC/FC/DFC/AAO.HT/AS.3/D.NO.126/13 dated 7.9.2013 and quash the same and pass such further or other order(s) as this Hon'ble Court may deem fit and proper in the facts and circumstances of the case and thus render justice.
35	34739/ 2013	Kaveri Gas Power Ltd.		In the aforesaid circumstances, it is further prayed that this Hon'ble Court may be pleased to issue a Writ of certiorari or any other Writ or order or direction in the nature of Writ of certiorari calling for the records of the Second Respondent relating to the impugned instruction in Letter No:/CFC/FC/DFC/AAO.HT/AS.3/D.NO.126/13 dated 7.9.2013 and the consequential impugned communication of the Fourth Respondent in Letter No:SE/NEDC/NGT/AO/RCS/AS/F.HTSC-084/D.693/13 dated 9.12.2013, quash the same and pass such further or other order(s) as this Hon'ble Court may deem fit and proper in the facts and circumstances of the case and thus render justice.

36 M en ti on ed to be li st ed	272/ 2014	Basud ha Udyog Ltd		In the aforesaid circumstances, it is further prayed that this Hon'ble Court may be pleased to issue a Writ of certiorari or any other Writ or order or direction in the nature of Writ of certiorari calling for the records of the Second Respondent relating to the impugned instruction in Letter No:/CFC/FC/DFC/AAO.HT/AS.3/D.NO.126/13 dated 7.9.2013 and the consequential impugned communication of the Fourth Respondent in Letter No:SE/CEDC/N/AEE/Dev/AE/D2/FCPPD/1438/13 dated 25.9.2013, quash the same and pass such further or other order(s) as this Hon'ble Court may deem fit and proper in the facts and circumstances of the case and thus render justice.

37	28885/ 2013	M/s. Kamachi Sponge & Power Corporation Ltd (HT No. 1988)	CC Bill dated 30.09.2013 for the period September 2013.	Issue a Writ of Certiorarified Mandamus or any other appropriate Writ or order of direction in the nature of Writ calling for the records relating to the 1st respondent herein it item No.6.8 (1)(c)High Tension-V applicable to start up power in Para 6.A the Tariff Schedule in Tariff Order in T.P No.1 of 2013 dated 20.06.2013 and the consequential Demand in Item No.8and13(c)of the Bill NO.dated 01.10.2013 relating to the H.T.S.C.No.1988of the petitioner under which demand charge and extra levy are claimed by the 3rd respondent from the petitioner Generation Plant and quash the same and consequently forbear the 3rdrespondent, their men, agents,servant,subordinates or anyother person or persons demanding and collecting separate demand charged based on item6.8(1)(c)of para A.6 of the Tariff schedule in Tariff order in T.P.No.1 of 2013 dated 20.06.2013 and pass such further or other orders as this Hon'ble Court may deem fit and proper in the facts and circumstances of the case and thus render justice.

38	28886/ 2013	M/s. Kamachi Sponge & Power Corporation Ltd (HT No. 1989)	CC Bill dated 30.09.2013 for the period September 2013	Issue a Writ of Certiorarified Mandamus or any other appropriate Writ or order of direction in the nature of Writ calling for the records relating to the 1st respondent herein it item No. 6.8 (1)(c) High Tension –V applicable to start up power in Para 6.A the Tariff Schedule in Tariff Order in T.P No. 1 of 2013 dated 20.06.2013 and the consequential Demand in Item No. 8 of the Bill NO. dated 01.10.2013 relating to the H.T.S.C. No. 1989 of the petitioner under which demand charge and extra levy are claimed by the 3rd respondent from the petitioner Generation Plant and quash the same and consequently forbear the 3rd respondent, their men, agents, servant, subordinates or any other person or persons demanding and collecting separate demand charged based on item 6.8 (1)(c) of para A.6 of the Tariff schedule in Tariff order in T.P.No.1 of 2013 dated 20.06.2013 and pass such further or other orders as this Hon'ble Court may deem fit and proper in the facts and circumstances of the case and thus render justice.

39	2734/ 2013	SreeRengarajIspatIndustries P Ltd		Issues a writ of certiorari calling or any other writ or order or direction in the nature of Writ of Certiorari calling for the the records of the second respondent relating to the impugned instruction in Letter No.CFC/FC/DFC/AAO.HT/AS.3/D.NO.126/13 dated 7.09.2013 and quash the same and pass such further or other order(s) as this Hon'ble Court may deem fit and proper in the facts and circumstances of the case and this render justice.
40	27807/ 2013	Chettinad Cement	Demand notice dated 29.08.2013	Issue a Writ of Certiorarified mandamus or any other writ or order or direction in the nature of writ of certiorarified mandamus calling for the records of the second respondent in the Impugned instruction in Letter No.CFC/FC/DFC/AAo.HT/AS.3/D.No.126/13 dated 07.09.2013 and all consequential demands in respect of demand charges for start-up power and the impugned demand letter received from the fourth respondent in Lr No.SE/DGL/AO/REV/F.AUDIT/D.No 001-1/2013 dated 29.08.2013 and the current consumption bill received from the fifth respondent for the month of September, 2013 in dated 01.10.2013 in respect of HT SC NO.59094500345 and to quash the same and to consequently direct the respondents herein to forbear from demanding and collecting separate demand charges and energy charges as tariff for start-up power and to charge only energy charges and pass such further or other orders(s) as this Hon'ble Court may deem fit and proper in the facts and circumstances of the case and thus render justice.

41	27808/ 2013	Chettinad Cement Corporation Limited	Demand notice dated 18.09.2013	Issue a Writ of Certiorarified mandamus or any other writ or order or direction in the nature of writ of certiorarified mandamus calling for the records of the second respondent in the Impugned instruction in Letter No.CFC/FC/DFC/AAo.HT/AS.3/D.No.126/13 dated 07.09.2013 and all consequential demands in respect of demand charges for start-up power and the impugned demand letter received from the fourth respondent in Lr. No.SE/KEDC/KRR/DFC/AS/HT/F.101/2013 dated 18.09.2013 and the current consumption bill received from the fifth respondent for the month of September, 2013 in dated 30.09.2013 in respect of HT SC NO.101 and to quash the same and to consequently direct the respondents herein to forbear from demanding and collecting separate demand charges and energy charges as tariff for start-up power and to charge only energy charges and pass such further or other orders (s) as this Hon'ble Court may deem fit and proper in the facts and circumstances of the case and thus render justice.

42	27841/ 2013	Chettinad Cement Corporation Limited	Demand notice dated 01.10.2013	Issue a Writ of Certiorarified mandamus or any other writ or order or direction in the nature of writ of certiorarified mandamus calling for the records of the second respondent in the Impugned instruction in Letter No.CFC/FC/DFC/AAo.HT/AS.3/D.No.126 /13 dated 07.09.2013 and all consequential demands in respect of demand charges for start-up power including the current consumption bill received from the fifth respondent for the month of September, 2013 in dated 01.10.2013 in respect of HT SC NO.70 and to quash the same and to consequently direct the respondents herein to forbear from demanding and collecting separate demand charges and energy charges as tariff for start-up power and to charge only energy charges and pass such further or other orders (s) as this Hon'ble Court may deem fit and proper in the facts and circumstances of the case and thus render justice.

43	30433/ 2013	Raghurama Renewable Energy Ltd	Item No.8 and No.15 of the Bill dated 29.10.2013 (Demand Charges at Rs 300/KVA amounting to a grand total of Rs.5,40,000/- in total and Add/Less adjustment charges (for arrears) of Rs.4,87,317/- amounting to a grand total of Rs.10,27,317/-	Issue a Writ of Certiorarified Mandamus or any other Writ or order of direction in the nature of Writ of Certiorarified Mandamus calling for the records of relating to the proceedings of the 1st Respondent herein in item 6.8 (1)(c) High Tension-V applicable to start up power in Para 6.A the Tartiff Schedule in Tariff Order in T.P.No.1of2013 dated 20.06.2013 and the consequential demand in items Nos.8 and 15 of the Bill dated 29.10.2013 under which demand charges is claimed by the 3rd Respondent from the petitioner generation Plant and Quash the same and consequently forbear the 3rd Respondent, their men, agents, servants, subordinates or any other person or persons demanding and collecting separate demand charges based on Item 6.8(1)(c) of Para A.6 of the Tariff Schedule in Tariff order in T.P.No.1 of 2013 dated 20.06.2013 and pass such or further or other orders as this Hon’ble Court may deem fit and proper in facts and circumstances of the case and thus render justice.

44	33026/ 2013	Raghurama Renewable Energy Ltd	Demand dated 20.11.2013 under which the demand charges are claimed retrospectively from 01.08.2012 to 31.08.2013m for the period when the Tariff Order 1 dated 20.06.2013 was not even in force.	Issue a Writ of Certiorari or any other Writ or order or direction in the nature of Writ, calling for the records relating to the proceeding of the 1st Respondent herein in item 6.8(1)(c) High Tension-V applicable to start up power in Para 6.A the Tartiff Schedule in Tariff Order in T.P.No.1 of 2013 dated 20.06.2013 and the consequential demand dated 20.11.2013 under which demand charges are claimed by the 3rd Respondent retrospectively from 01.08.2012 to 31.08.2013 from the petitioner generation Plant and Quash the same as illegal arbitrary and untenable under law as the order dated 20.06.2013 was not in force on 01.08.2012 to 20.06.2013 to demand separate demand charges from the Petitioner generator and pass such or further or other orders as this Hon'ble Court may deem fit and proper in facts and circumstances of the case and thus render justice.
45	30629/ 2013 & 30630/ 2013	Dharani Sugars &Chemicals Ltd		A memo has been filed to the effect of Corporate Insolvency Resolution Process ordered on 29th July, 2021 by National Company Law Tribunal Chennai in IBA 976/2019 and the same is pending.

15. The learned Senior Counsel/Counsel appearing on behalf of the Petitioners made the following submissions :-

A. The charges have been imposed under the guise of implementation without jurisdiction and usurping the powers of the TNERC.

B. TANGEDCO's instructions in the circular dated 07th September 2013 which seeks to alter the charges in respect of start-up power as determined by the TNERC vide its Tariff Orders is clearly without jurisdiction.

C. TANGEDCO has no power or authority to alter the tariff orders issued by the TNERC under the provisions of the Electricity Act, 2003. TANGEDCO is duty-bound to implement the orders of the TNERC and cannot on their own make any change to the applicable charges fixed by the TNERC. The instructions in the circular dated 07th September 2013 with regard to start-up power was issued without any prior approval of the TNERC and is clearly in violation of the provisions of the Electricity Act, 2003 and totally without jurisdiction.

D. The basis of levying only consumption charges (energy charges plus energy equated demand charges) for drawl of start-up power is found in the TNERC's Tariff Order No. 2 dated 15th May 2006. Following the said order, start-up power was all along being charged under a single part tariff. The provisions and principles laid out in the Tariff Order dated 15th May 2006 continue to be in force as the TNERC has not given any orders to change the same in later tariff orders. Therefore, through the instructions regarding start-up power in its circular dated 07th September 2013, TANGEDCO has in effect sought to re-fix the rate fixed by the TNERC, which is clearly without jurisdiction and contrary to the provisions of the Electricity Act, 2003.

E. The instructions of TANGEDCO in its circular dated 7th September, 2013 will lead to unjust and exorbitant rate of recovery from the generating stations for their start-up power requirement. Under the guise of giving effect to the Tariff, TANGEDCO is trying to illegally collect excessive amounts from the power plants.

F. It cannot be the case that TANGEDCO is not aware that it does not have the necessary jurisdiction to effect a new interpretation to the tariff order issued by the TNERC, thereby raising the concern that the misinterpretation may be a deliberate act.

G. Even if there was an ambiguity in relation to the interpretation of the tariff order, TANGEDCO ought to have approached the TNERC for clarifications. The fact that 2 Circulars interpreting the order were issued differently shows that there is ambiguity. This requirement to approach TNERC for any clarification rather than taking an unilateral action has been clearly laid down by the TNERC in its order in S.M.P.No.1 of 2012 dated 02nd May 2012. The relevant portions relied upon are extracted hereunder:

> "5.2. The above statement proceeds on the assumption that the orders of the Commission are not in very simple terms. Even assuming that the orders of the Commission are not in simple terms, the proper course of action is to approach the Commission by way of a clarification petition for clarifying the orders of the Commission or a Review Petition as contemplated in Clause 43 of Tamil Nadu Electricity Regulatory Commission-Conduct of Business Regulations, 2004.
>
> 5.3. The Commission is of the view that the procedure as laid down in the Act / Regulations should be fully complied with and such practices should be completely avoided in future. As a special case the clarification and the apology tendered are accepted and the proceedings are closed. A copy of this order may be forwarded to the Chairman and Managing Director, TANGEDCO and the Chairman, TANTRANSCO for advising all concerned to take note of the directions of the Commission for future actions."

H. There is no rational basis for altering the practice followed in accordance with the Tariff Orders of the TNERC. Even TANGEDCO in its own tariff petition for FY 2013-14 has proposed start-up power to be charged based on a single part tariff. Therefore, having even proposed the continuance of existing methodology for billing of start-up power, TANGEDCO cannot change the manner of charging start-up power on its own.

I. For such a change to be implemented, the TNERC has to give its approval, for which it is mandatory to follow the principles of natural justice wherein the consumers who are affected by such a move will have to be given an opportunity to voice their objections and concerns. TANGEDCO has not sought the approval of the TNERC and the views of the generators, nor have they been given any intimation of the change. TANGEDCO's tariff petition itself stated that the start-up power will be charged based on "Grid availability Charges equivalent to energy charges plus energy equated demand charges applicable to HT Temporary supply". Therefore, on this ground itself the circular of TANGEDCO dated 07th September 2013 is liable to be set aside.

J. The earlier circulars and instruction dated 09th July 2013 had correctly interpreted the Tariff Order and had issued working instructions to the Superintending Engineers to give effect to the orders. The latest circular dated 07th September 2013 is clearly contrary to the earlier instructions dated 09th July 2013 under which it has specifically been stipulated that based on the various tariff orders, power plants availing start up power is liable to pay only the energy and energy equated demand charges. Therefore, TANGEDCO is estopped from taking a completely opposite stand in the circular dated 07th September 2013.

K. Start-up power is drawn only occasionally whenever there is a specific requirement owing to complete shut-down of the station. Therefore, unlike other tariff categories, the maximum supply to be availed in terms of quantum and number of days in a year has been prescribed for start-up power in the tariff order. Under such circumstances, start-up power cannot be treated similar to other tariff categories wherein demand charges can be billed for the entire month. The instructions in the circular dated 07th September, 2013 and actions of TANGEDCO with respect to billing of start-up power are clearly contrary to the tariff order as it directs fixation of sanctioned demand in respect of all generators and billing of demand charges for the entire month thereby treating start-up power as similar to any other tariff category.

L. If the instructions in the circular dated 07th September 2013 are given effect to, even if a power plant does not draw any start-up power in a given month, it will have to pay the demand charges based on its sanctioned demand. This will be contrary to the very purpose of availing start-up power under HT-V category. In fact, if demand charges are billed for the entire month, the generators will be better off by applying for connection under HT-IA (industrial) tariff category.

M. Regulation 25 of the Tamil Nadu Electricity Regulatory Commission (Intra State Open Access Regulations, 2014) dated 13.03.2014 reads as follows:

> "25. Charges for Start-up Power Supplied by the Distribution Licensee:
>
> The generators connected with the state grid are eligible to get start up power after declaration of CoD. The demand shall be limited to 10% of the highest capacity of the generating unit of the generating station or the percentage of auxiliary consumption as specified in the Commission's Tariff Regulations, whichever is less. The supply shall be restricted to 42 days in a financial year. Drawal of power for a day or part thereof shall be accounted as a day for this purpose. Power factor compensation charges are not applicable for start-up power. The generator shall pay the Distribution Licensee for the supply of startup power at the rates as specified by the Commission in its Tariff Order issued from time to time. Start up supply beyond 42 days in a financial year may be provided by the Distribution Licensee at the rate of one and half times of the normal rate as specified by the

Commission. However, no start up supply shall be provided beyond 120 days in a financial year. In case of new and renewable energy based generator, the Commission may add/vary/delete certain criteria in the specific order issued for that category of new and renewable energy based generation. In case of Independent Power Producer (IPP), start-up power transactions shall be governed by this regulation only if it is not covered by the Power Purchase Agreement.”

N. Upon a reading of the provisions of the Tariff Order and the Regulations, it is clear that start-up power must be levied only on days it is actually consumed. Further, such charges will be levied at 10% of the highest capacity of the generating unit or such auxiliary demand whichever is lesser. Therefore, it is clear that start up power is treated differently from normal power consumption for the reason that such power consumption is for a limited period of time only and is sporadic in the sense that such power is consumed only on days when the power plant is started. The issuance of the Regulations and its application has thereafter clarified the issue substantially.

O. The 2017 Tariff Order issued in compliance with the 2014 Intra State Open Access Regulations finally set out in clear terms the issue of Start-up power in view of the differing stand and essentially aligned with the stand of the generators and it provided as follows:

j) Classification of Start-up Power

5.2.2.25 TANGEDCO submitted that Regulation 25 of the TNERC (Grid Connectivity and Intra-State Open Access) Regulations, 2014 provides for classification of the supply of electricity for Start-up power under HT Tariff V (Temporary Supply). Accordingly, it is proposed to continue to classify Start-up power under HT Tariff V.

Commission’s Views

5.2.2.26 The existing provisions classify supply of electricity for Start-up power under HT Tariff V (Temporary Supply). The tariff for supply of electricity for Start-up power was equated to HT Temporary Supply, in accordance with the stipulations of the Tariff Policy. The supply of electricity for Start-up power was restricted to 42 days in a year and 10% of the highest capacity of the generating unit of the generating station or the percentage auxiliary consumption as specified in the regulation, whichever is less.

5.2.2.27 APTEL has ruled that a separate dispensation has to be provided for Start-up power. The linkage to HT Temporary Supply coupled with the restrictions of load and days of usage has resulted in high effective tariff for such usage. Hence, the Commission has decided that the supply of electricity for Start-up power shall be classified under HT IA industrial category, with the restriction of 42 days in a year and 10% of the highest capacity of the generating unit of the generating station or the percentage auxiliary consumption, whichever is less. However, Power Factor compensation charges shall not be applicable for Start-up Power.

16. The learned standing counsel appearing on behalf of TANGEDCO submitted that the impugned circular issued by the TANGEDCO is in line with the tariff order issued by the TNERC in TP No 1 of 2013, dated 20.06.2013 and the same provided for two-part tariff. Since it is brought under HT Tariff- V, TANGEDCO is entitled to include both demand charges and energy charges. Therefore, there is absolutely no ground to interfere with the demand made by TANGEDCO. The learned counsel further submitted that presently the TNERC is actively functioning and a similar issue on the interpretation of the tariff order by TNERC is under consideration. Therefore, the learned counsel submitted that if this court deems it fit to get more clarity, these Writ Petitions can also be transferred to the file of TNERC and appropriate directions may be given to pass orders within a stipulated time.

17. This court has carefully considered the submissions made on either side and the materials available on record.

18.It is clear from the submissions made on either side and from the issues raised before this court that the entire problem revolves around the interpretation of the tariff order passed by TNERC in TP No 1 of 2013, dated 20.06.2013. The period of controversy confines itself only from 2013 to 2017 and from the year 2017, the stand off came to an end by virtue of the tariff order passed by TNERC in 2017. This order was in line with 2014 Intra State Open Access Regulations.

19.While implementing the orders of TNERC and circulars are issued by TANGEDCO, if only those implementation circulars are placed before TNERC for approval, all these controversies can be avoided. The TANGEDCO must adopt such best practices at least in future to avoid unwanted litigations. In fact, in one of the orders passed by TNERC in SMP No 1 of 2012, dated 2 5 2012, TNERC had made it clear that the proper course of action is to approach the commission by way of a clarification petition as contemplated under the TNERC Conduct of Business Regulations, 2004.

20. Under normal circumstances, the Petitioners should have approached TNERC questioning the impugned circular and bills raised by TANGEDCO adopting the circular. However, the petitioners were not able to adopt this course since the commission was not functioning due to lack of quorum. Now that the commission is effectively functioning, there is no requirement for this court to answer all the queries raised by the petitioners and it will be more appropriate if all these writ petitions are transferred to the file of TNERC by setting out the issues that requires clarification. This is more so since these issues directly arise out of the interpretation of the tariff order passed by the commission. Before setting out the issues, this court wants to take note of some of the legal provisions and also lay down some best practices that has to be followed by TANGEDCO in future.

21. The TNERC is exercising its regulatory jurisdiction while issuing clarification regarding the interpretation of the tariff order passed by the commission. The Electricity Act, 2003 made a huge shift towards a more transparent environment in the arena of electricity and the preamble of the Act makes it very clear and the same is extracted hereunder:

> An Act to consolidate the laws relating to generation, transmission, distribution, trading and use of electricity and generally for taking measures conducive to development of electricity industry, promoting competition therein, protecting interest of consumers and supply of electricity to all areas,

rationalization of electricity tariff, ensuring transparent policies regarding subsidies, promotion of efficient and environmentally benign policies, constitution of Central Electricity Authority, Regulatory Commissions and establishment of Appellate Tribunal and for matters connected therewith or incidental thereto,

22.The Act mandates that for passing a Tariff Order, public participation is a sine qua non. Section 64 of the Act provides for the procedure and the same is extracted hereunder:

> Section 64. (Procedure for tariff order): ---
>
> (1) An application for determination of tariff under section 62 shall be made by a generating company or licensee in such manner and accompanied by such fee, as may be determined by regulations.
>
> (2) Every applicant shall publish the application, in such abridged form and manner, as may be specified by the Appropriate Commission.
>
> (3) The Appropriate Commission shall, within one hundred and twenty days from receipt of an application under sub-section (1) and after considering all suggestions and objections received from the public,-
>
> (a) issue a tariff order accepting the application with such modifications or such conditions as may be specified in that order;
>
> (b) reject the application for reasons to be recorded in writing if such application is not in accordance with the provisions of this Act and the rules and regulations made thereunder or the provisions of any other law for the time being in force:
>
> Provided that an applicant shall be given a reasonable opportunity of being heard before rejecting his application.
>
> ………………………………….

23. Even while exercising the power to recover charges by

the Distribution Licensee , the same requires adequate publicity. Sec 45 of the Act is extracted hereunder:

> Section 45. (Power to recover charges): --- (1) Subject to the provisions of this section, the prices to be charged by a distribution licensee for the supply of electricity by him in pursuance of section 43 shall be in accordance with such tariffs fixed from time to time and conditions of his licence.
>
> (2) The charges for electricity supplied by a distribution licensee shall be –
>
> (a) fixed in accordance with the methods and the principles as may be specified by the concerned State Commission ;
>
> (b) published in such manner so as to give adequate publicity for such charges and prices.
>
> (3) The charges for electricity supplied by a distribution licensee may include
>
> (a) a fixed charge in addition to the charge for the actual electricity supplied;
>
> (b) a rent or other charges in respect of any electric meter or electrical plant provided by the distribution licensee.
>
> (4) Subject to the provisions of section 62, in fixing charges under this section a distribution licensee shall not show undue preference to any person or class of persons or discrimination against any person or class of persons.
>
> (5) The charges fixed by the distribution licensee shall be in accordance with the provisions of this Act and the regulations made in this behalf by the concerned State Commission.

24. The aim of the TANGEDCO should be to implement tariff and other orders within a reasonable time after passing of orders. This would be in the interest of the Licensee which has to recover charges on time after it has been determined. Further, unilateral interpretation or proceeding further even when there are doubts or clarification is deemed fit, is not in the interest of the Licensee or the stake-holders as it leads to avoidable litigation before various forums.

25.Having taken note of the relevant provisions which have been extracted supra, this court will now proceed to set out certain best practices in line with the spirit behind the Electricity Act, 2003 and this court expects TANGEDCO to scrupulously follow the same in future and avoid unnecessary litigations and consequent loss of revenue.

I. TANGEDCO should establish clear policies for immediate implementation of orders issued by the TNERC and the Implementation should commence immediately after the tariff orders are issued.

II. Such implementation should take place by way of appropriate Implementation Circulars for adherence by the jurisdictional officers and the consumers/public.

III. Prior to issuance of such implementation Circulars, the draft should be placed before the TNERC for approval and on its website for any public comments to be provided directly to the TNERC.

IV. The TNERC shall within a strict timeline, approve such circulars with such modifications or changes as it deems fit after considering all aspects/inputs.

V. The approval of the implementation Circular in as much as it is done on the administrative and regulatory side by the TNERC would not by itself affect the rights of stakeholders, since it is only the orders issued under the Statute and Regulations, which would cover the field and be paramount. However, such best practice is advisable for reasons of transparency and avoiding unnecessary litigation.

VI. In terms of mandate of S.45(2)(b), the implementation circulars or instructions issued by the TANGEDCO to its field officers should mandatorily be made available on the website of the TANGEDCO and be easily accessible to all. This would ensure that all stakeholders are fully aware of the orders and the manner of their implementation.

26.The above discussion leads to the final phase of the order. This court is inclined to transfer all these Writ Petitions to the file of the Tamil Nadu Electricity Regulatory Commission, Chennai by setting out the following issues which requires clarification from TNERC in line with the tariff order passed by TNERC in TP No. 1 of 2013 dated 20.06. 2013.

a. Clarify whether, in case of drawal of start-up power by generators, whether the same should be charged at the rate of energy and energy equated demand charges or whether it should be charged on the basis of two-part tariff and how the charges are to be raised and recovered.

b. Whether, if the drawl of start-up power by generators are to be billed on the basis of two part tariff of 300 Rs./KVA/Month and 9.50 Rs./kWh, the demand charges should be pro-rated to actual hours of usage instead of calculating it for the entire month.

c. Whether, if the drawl of start-up power by generators are to be billed on the basis of two part tariff of 300 Rs./KVA/Month and 9.50 Rs./kWh, the demand charges are to be based on actual percentage of maximum demand or on the demand being fixed by TANGEDCO.

d. How different categories of generators are to be treated while determining the startup charges and ;

e. To issue appropriate orders under S.62(6) of the Act, in case of payments to be made to the generators/consumers since the petitioners have deposited charges in compliance with the conditional orders passed by this court.

27. The TNERC is directed to pass final orders within a period of 3 months from the date of receipt of copy of this order after issuing adequate publicity in line with the provisions extracted supra. This will enable all the stakeholders to give their inputs and it need not be confined only to the petitioners. The interim orders passed by this court during the pendency of these Writ Petitions, shall continue to be in force till final orders are passed by TNERC.

28. All the Writ Petitions are accordingly disposed of. The registry is directed to transfer all the Writ Petitions to the file of TNERC, Chennai forthwith. No costs. Consequently, all the connected miscellaneous petitions are closed.

Sd/-
Assistant Registrar(CS-III)

//True Copy//

Sub Assistant Registrar

KP

TO:

1. THE SECRETARY,
   TAMIL NADU ELECTRICITY REGULATORY COMMISSION,
   19-A RUKMANI LAKSHMIPATHY SALAI,
   (MARSHALLS ROAD)
   EGMORE, CHENNAI-8.

2. THE CHAIRMAN,
   TANGEDCO, TAMIL NADU ELECTRICITY BOARD,
   144, ANNA SALAI,
   CHENNAI-600 002.

3. THE SUPERINTENDING ENGINEER,
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   CIRCLE / NORTH TAMIL NADU ELECTRICITY BOARD,
   144, ANNA SALAI, CHENNAI-600 002.

4. THE CHIEF FINANCE CONTROLLER/REVENUE
   TANGEDCO (ACCOUNTS BRANCH),
   144, ANNA SALAI, CHENNAI-2

5. THE DIRECTOR (FINANCE)
   TANGEDCO, 144, ANNA SALAI, CHENNAI-2

6. THE SUPERINTENDING ENGINEER,
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   E.V.N. ROAD, ERODE-638 009

7. THE SUPERINTENDING ENGINEER,
   DEDC/M.N.PATTY P.O. DINDIGUL-2

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   DINDIGUL TANGEDCO (ACCOUNTS BRANCH)
   DINDIGUL CIRCLE OFFICE

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    TANGEDCO, KARUR CIRCLE

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TUTICORIN ELECTRICITY DISTRIBUTION CIRCLE,
THOOTHUKUDI

15.THE SUPERINTENDING ENGINEER,
THENI ELECTRICITY DISTRIBUTION CIRCLE,
THENI

16.THE SUPERINTENDING ENGINEER,
THIRUVANNAMALAI ELECTRICITY DISTRIBUTION CIRCLE,
THIRUVANNAMALAI

17.THE SUPERINTENDING ENGINEER,
KALLAKURICHI ELECTRICITY DISTRIBUTION CIRCLE,
KALLAKURICHI

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CUDDALORE 607 004

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30.THE SUPERINTENDING ENGINEER,
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31.THE DEPUTY FINANCIAL CONTROLLER,
NEDC / TNEB,
NAGAPATTINAM

Copy to:
The Writ Section,
Assistant Registrar,
High Court, Madras. (04/01/2022)

+1cc to M/s.AL.Ganthimathi, Advocate, S.R.No.43781

+1cc to Mr.K.Seshadri, Advocate, S.R.No.43473

+1cc to Mr.K.Jayachandran, Advocate, S.R.No.43506

+2ccs to Mr.L.Jai Venkatesh, Advocate, S.R.No.43372

+2ccs to M/s.P.T.Ramadevi, Advocate, S.R.No.43310,43309

+2ccs to Mr.Anirudh Krishnan, Advocate, S.R.No.43304

+6ccs to Mr.Vinod Kumar, Advocate, S.R.No.43270 to 43275

Pre Delivery Common Order in

W.P.Nos.26266,26553,26554,27269,28093,28443,27324,27325,27326,
27807,27808,27841,28374,28438,28440,28451,28885,28886,28952,
30433,30502,30629,30630,31160,33026,33113,33151,33150,33210,
33115,33116,33117, 33119,33118,33114,34739,35041,35042 of 2013
and
848,869,4924,14037,14952 272, 6382, 17057 of 2014
and
3522 of 2017

JP(CO)
SU(01/11/2021)