



## **TAMIL NADU ELECTRICITY OMBUDSMAN**

19- A, Rukmini Lakshmi pathy Salai, (Marshal Road), Egmore, Chennai – 600 008.

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### **BEFORE THE TAMIL NADU ELECTRICITY OMBUDSMAN, CHENNAI**

**Present : Thiru. A. Dharmaraj, Electricity Ombudsman**

#### **Appeal Petition No. 14 of 2013**

M/s Durairaj Mills Ltd.,  
Pethanaickenpalayam,  
Pongalur Post,  
P.Puliampatti 638 459  
Tiruppur District

. . . . Appellant

Vs

The Superintending Engineer,  
Tiruppur EDC,  
TANGEDCO (FORMERLY TNEB),  
19-A, Jyothi Nagar, Perumal Nallur Road,  
Tiruppur-641 602.

. . . . . Respondent

#### **Date of Order :18- 6-2013**

1. M/s Durairaj Mills Ltd., Pethanaickenpalayam have filed an appeal petition on 6.5.2013 against the order dt.23.3.2013 of the Consumer Grievance Redressal Forum of Tiruppur EDC.
2. The Appellant prayed to set aside the order dt.23.3.2013 of the CGRF of Tiruppur EDC relating to the Demand of Rs.11,43,229/- in respect of HTSC No.32.
3. As the Appellant has not enclosed the copy of receipt issued by the licensee in proof of having paid the 25% of the amount as ordered by the

CGRF of Tiruppur EDC, the Appellant was requested to furnish a copy of the receipt vide letter 7.5.2013.

4. The Appellant has paid a sum of Rs.2,85,810/- towards 25% of the disputed claim on 13.5.2013 and furnished the copy of the receipt vide letter dt.14.5.2013.
5. The appeal petition submitted by the Appellant was registered as appeal petition No. 14 of 2013 and the respondent was requested to furnish the counter if no settlement is reached.
6. A hearing was proposed on 13.6.2013 in order to enable the parties to put forth their arguments in person. The respondent has stated that a meeting was proposed with the Appellant on 7.6.2013 and hence prayed for extension of time to furnish the report on the agreement reached or to submit the counter. Accordingly the hearing proposed on 13.6.2013 was adjourned and rescheduled to take place on 27.6.2013.
7. The SE/Tiruppur EDC in the letter 10.6.2013 has stated the following :

*“ On the part of the licensee, the subject matter has again been checked and verified with the appeal petition and the supporting documents. In the appeal petition, the petitioner had withdrawn their contention that the quota has to be fixed on the actual generation and not on proposed units and accepted that the quota has to be fixed on the proposed units.*

*Therefore, the quota has been reworked in line with orders in para 16(13) of the suo-moto proceedings no. 1 of the Hon'ble Regulatory*

*Commission. On fixing the quota it has further been ascertained that both the licensee and the Audit wing have failed to take into account the quota permitted on additional demand of 1400 KVA subsequently sanctioned.*

*Having analyzed the above facts, the revised penal charges have been calculated and proposed. The petitioner had been called upon for the meeting on the subject on 7.6.2013. The petitioner had authorized two of his staff members to represent on behalf of Durairaj Mills Unit I & II and to attend the meeting. The revised proposal of the licensee has been placed before the meeting. The complainant accepted the revised proposal and also undertakes to withdraw the appeal petition No. 14 of 2013 filed before the Hon'ble Ombudsman.*

*In view of the settlement reached on the subject matter of appeal petition No. 14 of 2013 the proposal and acceptance signed by the licensee and the authorized representatives of the complainant is submitted herewith. It is humbly requested that the same may please be recorded and orders issued. ”*

8. On a scrutiny of settlement dt.7.6.2013 signed by both the parties, it is noted that the licensee has revised the penal charges as Rs.36,870/- and the Appellant has also accepted the above and agreed to deduct the above sum from the payment already made vide receipt No.13689, dt.13.5.2013. The authorized representatives of the company have also

undertake to withdraw the appeal petition No. 14 of 2013 filed before the Hon'ble Ombudsman.

9. In the letter dt.13.6.2013, the Appellant has stated the following :

*“The respondent on their part reviewed the entire subject matter afresh and proposed the revised penal charges of Rs.36870/- calculated on the units proposed by us during April 2010. The respondent called for a meeting on the subject on 7.6.2013 and our authorized representatives attended. During the meeting the revised proposal was placed before us and on scrutiny we have agreed the revised penal charges of Rs.36870/-*

*In view of the acceptance of the revised penal charges proposed by the respondents, we undertake to withdraw the appeal petition also.*

*Since the subject matter of the appeal petition No.14 of 2013 has been settled through agreement between us, the Appellant and the licensee, respondent, we most respectfully request the Hon'ble Electricity Ombudsman to permit us to withdraw the appeal petition filed by us.”*

10.As the Appellant has withdrawn the appeal petition No. 14 of 2013, the appeal petition No. 14 of 2013 is dismissed as withdrawn . No Costs.

**(A. Dharmaraj)**  
Electricity Ombudsman

To  
1) M/s Durairaj Mills Ltd.,  
Pethanaickenpalayam,  
Pongalur Post,  
P.Puliampatti 638 459  
Tiruppur District

2) The Superintending Engineer,  
Tiruppur EDC,  
TANGEDCO (FORMERLY TNEB),  
19-A, Jyothi Nagar, Perumal Nallur Road,  
Tiruppur-641 602.

3) The Chairman,  
(Superintending Engineer)  
Consumer Grievance Redressal Forum,  
Tiruppur EDC,  
TANGEDCO (FORMERLY TNEB),  
19-A, Jyothi Nagar, Perumal Nallur Road,  
Tiruppur-641 602.

4) The Chairman & Managing Director,  
TANGEDCO,  
NPKR Malaigai,  
144, Anna Salai,  
Chennai – 600 002.

5) The Secretary  
Tamil Nadu Electricity Regulatory Commission  
No.19A, Rukmini Lakshmi pathy Salai  
Egmore,  
Chennai – 600 008.

6) The Assistant Director (Computer) - **FOR HOSTING IN THE WEBSITE**  
Tamil Nadu Electricity Regulatory Commission,  
No.19A, Rukmini Lakshmi pathy Salai,  
Egmore,  
Chennai – 600 008.