

**CENTRAL ELECTRICITY REGULATORY COMMISSION  
NEW DELHI**

**Coram**

- 1. Dr. Pramod Deo, Chairperson**
- 2. Shri R.Krishnamoorthy, Member**
- 3. Shri S.Jayaraman, Member**
- 4. Shri V. S. Verma, Member**

**Petition No 81/2009  
(Suo-motu)**

**In the matter of**

Maintenance of Grid Discipline – Non -compliance of provisions of the Indian Electricity Grid Code by Tamil Nadu Electricity Board.

**And in the matter of**

1. Tamil Nadu Electricity Board, Chennai
2. Shri. C.P. Singh, Chairman,  
Tamil Nadu Electricity Board, Chennai

**...Respondents**

**Present**

None for the parties

**ORDER  
(Date of Hearing: 30.6.2009)**

By order dated 8.5.2009 a penalty of Rs. 150 lakh was imposed on the first respondent under section 142 of the Electricity Act, 2003 (the Act) for contravention of and non-compliance with the provisions of the Indian Electricity Grid Code. The penalty was to be deposited by 31.5.2009.

2. As the penalty was not paid within the prescribed time limit, the Commission, vide its order dated 22.6.2009, directed the first respondent to show cause as to why the penalty should not be recovered as arrears of land revenue as provided under section

170 of the Act. The case was directed to be listed on 30.6.2009. None appeared before us today.

3. In the meantime, a copy of the order dated 15.6.2009 has been received from the Hon'ble High Court of Madras on 25.6.2009. It is seen from the above order that the Hon'ble High Court has, in WP. No. 10384 of 2009 and M.P. 1 of 2009 ordered as under:

“Writ Petitions under Article 226 of the Constitution of India praying that in these circumstances stated therein and in the respective affidavits filed therewith the High will be pleased to (i) issue a writ of certiorari calling for the entire records of the respondent relating to the order dated 8.5.2009 in suo motu petition No. 81/2009 and quash the same [in WP. No. 10384/09] and

(ii) Stay all further proceedings pursuant to the order of the respondent dated 8.5.2009 in suo motu Petition No. 81/2009. [in MP. No. 1/09] pending WP. No. 10384/09 respectively.

Order : These petitions coming on for orders upon perusing the petitions and the respective affidavits filed in support thereof and upon hearing the arguments of M/S. P. Srinivas, Advocate for the petitioner in both the petitions, the court made the following order:-

Admit. Stay for 8 weeks.

Notice to the respondents”

4. In view of the above direction of the Hon'ble High Court, we direct that for the present, these proceedings be held in abeyance and shall abide further directions of the Hon'ble High Court from time to time..

Sd/=  
[V. S. VERMA]  
MEMBER

Sd/=  
[S. JAYARAMAN]  
MEMBER

Sd/=  
[R. KRISHNAMOORTHY]  
MEMBER

Sd/=  
[DR. PRAMOD DEO]  
CHAIRPERSON

New Delhi, dated 30<sup>th</sup> June 2009

