

# **TAMIL NADU ELECTRICITY CONSUMERS' ASSOCIATION**

Formerly (TamilNadu Electricity Consumers Association)

**Regd. No.** 181-8524/1998 – **CIN.No.** U37102TZ1998GAP008524

1st Floor, SIEMA Building, 8/4, Race Course, Coimbatore - 641 018

Phone: (0422) 4351400 [E-mail: teca@tecaonline.in](mailto:teca@tecaonline.in) Web: [www.tecaonline.in](http://www.tecaonline.in)

TECA:CIR/SEC/2014-15/212

August 5, 2014

## **CIRCULAR**

To

All Members,

Dear Sir/Madam,

You are aware that TANGEDCO has started collecting Cross Subsidy Surcharges for Open Access power purchased from 12.07.2012 on the basis of Tamil Nadu G.O. (Ms) No 79 of Energy (C3) Department dated 11-07-2012 even R & C Measures are enforced.

This G.O. was challenged by TECA and members before Madras High Court. The Madras High Court Single Judge has struck down the Government Order.

Against this order the Government of Tamil Nadu and TANGEDCO have filed Writ Appeal No. 1254 of 2013 before Madras High Court Bench. The Appeal was listed before the Court in December, 2013 and expected to be heard finally during coming week.

In this connection, Appellate Tribunal for Electricity (APTEL) vide Appeal No. 38 of 2013 has pronounced a land mark judgment dated 01.08.2014, concluding that while R&C measures are in force, there is no possibility to levy CSS. This relates to the State of Punjab. However, the logic would be applicable to Tamil Nadu also. It is expected that this judgement of APTEL would be presented to the Madras High Court Bench while the Writ Appeal 1254 of 2013 is heard.

We are enclosed the APTEL order for your ready reference.

With Warm Regards,

D Balasundaram  
President