COURT-1

IN THE APPELLATE TRIBUNAL FOR ELECTRICITY
(Appellate Jurisdiction)

APL No. 145 OF 2025 & IA No. 663 OF 2025

Dated: 29th January, 2026

Present: Hon`ble Mr. Justice Ramesh Ranganathan, Chairperson
Hon`ble Mr. Ajay Talegaonkar, Technical Member (Electricity)

In the matter of:

Tamil Nadu Power Distribution Corporation Limited (TNPDCL)	....	Appellant(s)
Versus		
Tamil Nadu Electricity Regulatory Commission & Anr.	....	Respondent(s)

Counsel on record for the Appellant(s)	:	Anusha Nagarajan for App. 1
Counsel on record for the Respondent(s)	:	Prerna Priyadarshini Syed Faraz Alam Aayushman Aggarwal Kush Chaturvedi Atharva Gaur for Res. 2

ORDER

A common order was passed by the TNERC in IA No.1 of 2025 in MP No. 55 of 2024, and in IA No. 1 of 2025 in MP No. 51 of 2024, dated 27.02.2025. TANGEDCO came up in appeal against the order passed by the TNERC in IA No.1 of 2025 in MP No. 55 of 2024 (Appeal No. 144 of 2025). This Tribunal, by its order in Appeal No. 144 of 2025 dated 31.07.2025, set aside the impugned order dated 27.02.2025 to the extent an interim order was passed restraining the Appellant from recovering BPSE from the second Respondent. While restoring IA No.1 of 2025 in MP No. 55 of 2024 to file, this Tribunal directed the TNERC to consider afresh whether the second Respondent herein had made out a prima facie case for grant of interim stay of the Appellant's claim for BPSC, and then examine whether one of the other two tests of balance

of convenience and irreparable injury were also satisfied. This Tribunal further observed that even in case the TNERC were to be satisfied, for just and valid reasons, that a case for grant of interim relief has been made out by the second Respondent, it shall put in place adequate safeguards, to protect the interest of the Appellant, by securing the amount due and payable to the Appellant towards BPSC, during the pendency of the Miscellaneous Petition before the TNERC. There shall be a similar order, in the present Appeal, as was passed in Appeal No. 144 of 2025 dated 31.07.2025.

Ms. Prerna Priyadarshini, Learned Counsel for the second Respondent, would submit that hearing of the main petitions is under way and the TNERC is likely to pass a final order in both the main petitions shortly. Suffice it, therefore, to observe that restoration of IA No.01 of 2025 in MP No.51 of 2024 shall not disable the TNERC, without being influenced by any observations made by us in the present order, to dispose of the main petition itself or pass appropriate orders in the IA, as it deems fit

The Appeal, and all the IAs therein are, accordingly, disposed of.

Ajay Talegaonkar Technical Member (Electricity)	Justice Ramesh Ranganathan Chairperson

mk/mg