

COURT-1

IN THE APPELLATE TRIBUNAL FOR ELECTRICITY
(Appellate Jurisdiction)

APL No. 144 OF 2025 & IA No. 665 OF 2025 & IA No. 666 OF 2025

Dated: 15th July, 2025

Present : Hon`ble Mr. Justice Ramesh Ranganathan, Chairperson
Hon`ble Ms. Seema Gupta, Technical Member (Electricity)

In the matter of:

Tamil Nadu Generation and Distribution Corporation Appellant(s)
Limited (TANGEDCO)

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) : for Res. 1

ORDER

We deem it appropriate to hear the Commission on its observations, in para 12(c) of the impugned order, which reads as under:-

“c) This order is also applicable to all persons or entities who have been served with demand notices similar to the one issued in Lr.No.CFC/REV/FC/AO/AS3/REV/D.No.557-1/24, dated 12.12. 2024 which was under challenge before the Hon`ble High Court of Madras.”

The effect of the afore-extracted portion of the impugned order is that the order passed, in a petition filed by two generators, is being

extended to all other generators to whom a similar demand notice was issued by the Appellant. In other words, it is an order in rem.

Prima facie we find force in the submissions of Ms. Anushara Nagarajan, Learned Counsel for the Appellant, that such orders in rem can possibly be passed by superior courts in exercise of their power of judicial review, and not by statutory Tribunals since its jurisdiction is confined only to the provisions of the Electricity Act and not beyond.

Before passing an order in this regard, we deem it appropriate to hear the Respondent-Commission. Ms. Anusha Nagarajan, Learned Counsel for the Appellant, submits that a copy of this order would, if permitted, be forwarded to the Commission; and that the matter may be taken after one week.

Post the matter on **24.07.2025.**

(Seema Gupta)
Technical Member (Electricity)
mk/dk

(Justice Ramesh Ranganathan)
Chairperson