

SKV Law Offices Secures APTEL Victory in High-Value Renewable Energy Curtailment Appeal For TPREL



SKV Law Offices has successfully represented Tata Power Renewable Energy Limited in Appeal No. 449 of 2024 before the Appellate Tribunal for Electricity, securing an important order dated 7.11.2025. The matter involved a critical dispute concerning unlawful curtailment of generation from Tata Power's solar projects in the State of Tamil Nadu and the corresponding compensation owed to Tata Power on account of the same. The appeal challenged an order by the Tamil Nadu Electricity Regulatory Commission that had awarded only Rs. 1.61 crores against Tata Power's claim exceeding Rs. 78 crores in deemed generation losses. This case represents a significant development in advancing the rights of renewable energy generators within India's evolving regulatory framework.

The complexity of this matter lay in several substantial legal and factual dimensions that SKV Law Offices meticulously navigated. The core issue revolved around whether forced curtailment of generation by Tamil Nadu's distribution and transmission entities constituted unlawful action beyond the scope of legitimate grid security measures. The appellant had claimed that the Tamil Nadu Load Despatch Centre and Tamil Nadu Transmission Corporation Limited had curtailed generation for commercial or economic reasons rather than genuine grid security imperatives, thereby violating the mandate of the Electricity Act, 2003, and applicable regulations. Additionally, the regulatory inconsistency whereby other generators had obtained relief from TNERC on substantially similar grounds, where TNERC adopted a different benchmark for proof of such losses, added another layer of complexity that strengthened the appellant's position.

SKV Law Offices approached this appeal with a strategic focus on the fact that the Grid India report (analysing curtailment of RE power in Tamil Nadu pursuant to APTEL's judgment in Appeal No. 197 of 2019) merited genuine consideration for determination

of Tata Power's claim as a statutory expert body's substantive contribution to determining curtailment legitimacy. The arguments emphasized that the burden of providing technical data (which is within the domain of the grid operator) should not disable a generator from seeking justice.

The impact of this APTEL order extends significantly beyond TPREL's immediate interests. By setting aside the original determination and directing the Tamil Nadu Electricity Regulatory Commission to reconsider the claim in light of the Grid India report, the tribunal has affirmed that expert technical evaluations must be substantively engaged with rather than dismissed on procedural grounds. This ruling reinforces the principle that renewable energy generators possess enforceable rights to uninterrupted must-run status and cannot be subject to arbitrary curtailment masquerading as grid security measures. Furthermore, the order obliges the Commission to revisit the compensation calculation afresh, potentially resulting in substantially higher relief for the appellant and establishing a more robust framework for addressing similar disputes in the renewable energy sector.

Click [here](#) to read the order.

TPREL was represented before APTEL by Shri Venkatesh (Founding Partner), Suhael Buttan (Partner), Priya Dhankhar (Counsel) and Drishti Rathi (Associate) from the SKV Law Offices team.