

BEFORE THE CONSUMER GRIEVANCES REDRESSAL FORUM
(Under the Electricity Act, 2003)
PUDUCHERRY

PRESENT:

THIRU T. GOPALAKRISHNAN, B.E.,
CHAIRMAN

THIRU A.S. JITENDRA RAO, B. Tech., M.B.A.,
LICENSEE MEMBER

THIRU R. KRISHNAMURTHY, B.Com., LLB., PGDFL.,
JERC NOMINATED MEMBER

FRIDAY, THE 3RD DAY OF FEBRUARY 2023

CONSUMER CASE No.02/2023

R. Gnanasegaran,
S/o Rathinam,
No.4A, Thiruvalluvar Street,
Sivalingapuram,
Ariyankuppam,
Puducherry

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Complainant

Vs.

- 1) The Executive Engineer, Rural-South O&M,
Electricity Department,
Puducherry
- 2) The Assistant Engineer – Bahour Sub-Station,
Electricity Department,
Puducherry.
- 3) The Junior Engineer- Thavalakuppam,
Electricity Department,
Puducherry.

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Respondents

This case in C.C. No.02/2023 came up before this Forum for final hearing on 25/01/2023. After hearing both sides and having stood over till this date for consideration this Forum has delivered the following:

The case of the Complainant is as follows:

1. A Complaint was received from R. Gnanasegaran S/o Rathinam on 04/01/2023. In the complaint, the Complainant had stated that, a temporary service was extended by the Electricity Department to the plot belonging to him in the name of D. Canagarani W/o Dhamodharan in the land measuring 4 Kushi 9 Veeram (2628 Sq.Ft) in RS.No.71/3 Cadastre No.379, 380, 381,378, BIS 376,382, 375, Patta No.257. On hearing the above, he had given a complaint to the Department on 23/11/2021, but no action was taken. A complaint was also lodged with the Police Department. Again on 06/05/2022 he made a complaint to the Department to seek legal opinion. Still no action was taken. In the mean time a representation was given to the Taluk Office, to peruse the document of both parties. The enquiry is under process. The temporary service was not disconnected till date. The Complainant prayed this Forum to issue necessary directions to the Respondents to disconnect the temporary service and not to extend any permanent service. Hence, the Complaint.

2. The complaint was registered as C.C. No.02/2023 on 04/01/2023 and copy of the complaint send to the Executive Engineer, Rural (South) and others to furnish reply by 17/01/2023. Reply from the Assistant Engineer, Bahour/ Respondent No.2 was received on 18/01/2023 and a copy of the same was communicated to the Complainant. The case was posted for hearing on 25/01/2023.

3. In the Affidavit, the Assistant Engineer- Bahour/ Respondent No.2 filed for himself and on behalf of Respondent 1 and 3 had stated that, Tmt. D. Canagarani, Plot No.81, Gandhi Nagar, Abishegapakkam, Puducherry had applied for a temporary power supply for house building construction purpose at RS.No.71/3, Cad No.376 with registered document. Based on her request, after paid of departmental charges, the Temporary supply was effected on 11/06/2021. On 06/05/2022, Thiru R. Gnanasegaran, has given a petition with supporting document to disconnect the effected temporary service connection in which Tmt. D. Canagarani building construction place is belonging to him. On verification of both documents it is known that Tmt. D. Canagarani had purchased a vacant plot at Plot No.81, Gandhi

Nagar, Abishegapakkam, Thavalakuppam to an extent of 1420 sq.ft. in the year October 1999 vide Registration No.4892/1999 and Thiru R. Gnanasegara had purchased a vacant land to an extent of 4 Kuzhi 9 Veesam(2628 sq.ft) by way of land. Further the land R.S. No.71/3 was formed a residential lay out during the period of 1999, while Tmt. D. Canagarani has purchased a vacant plot, but Thiru R. Gnanasegaran was purchased the land in the year 2002. Further, on verification, both enclosed document the purchased area, Cad number, boundaries are varying. Hence a notice / letter was addressed to Thiru Gnanasegaran on 22/07/2022 to produce valid proof for considering his petition. But so far no reply was received. Further Tmt. D. Canagarani has applied for permanent domestic service connection to the newly constructed house in the lay out. As letters were sent on 19/12/2022 to the Complainant and applicant to produce sufficient ownership certificate / document for consideration of their request, both of them had not produced till date. Further, it is a civil dispute, if any reply / evidence or not received in time, with available records the same will be sent for legal opinion. Further action will be taken after obtaining legal opinion in this matter.

4. Hearing was held on 25/01/2023. Both the Complainant and the Respondents were present. During the hearing, the Complainant submitted that no Order has been passed by Tahsildar till date. He further submitted that he has not filed any civil case to prove his ownership of property under dispute. The Respondents have submitted that they have referred the matter to the Law Officer to obtain legal opinion and action will be taken based on the opinion.

Observation: On perusal of documents and on hearing the parties, it is understood that it is purely a civil dispute regarding identification of property between the Complainant and one Tmt. Canagarani. Therefore, the Complainant has to approach to seek remedy from the competent authority or from the court of law. The averment of the Complaint does not come under the purview of this Forum. Hence the

Complainant is not entitled to get any relief as sought for in the Complaint. Therefore, it is liable to be dismissed.

ORDER

- i. In view of the above observation, the complaint is not allowed.
- ii. The Complainant, if aggrieved, by non-redressal of his / her grievance by the Forum or non-implementation of CGRF Order by the Licensee, may make an Appeal in prescribed Annexure-IV to the Electricity Ombudsman, Joint Electricity Regulatory Commission for the state of Goa and Union Territories, 3rd Floor, Plot No. 55-56, Pathkind Lab Building, Service Road, Udyog Vihar, Phase IV, Sector -18 Gurugram, Haryana-122015; Phone 0124-4684708; email ombudsman.jercuts@gov.in within 30 days from the date of this Order under intimation to this Forum and the Respondents.

Dated at Puducherry on this the 3rd day of February, 2023

Sd/-

(R. KRISHNAMURTHY)
JERC NOMINATED MEMBER

Sd/-

(A.S. JITENDRA RAO)
LICENSEE MEMBER

Sd/-

(T. GOPALAKRISHNAN)
CHAIRMAN