

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

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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 1<sup>ST</sup> DAY OF SEPTEMBER 2023

**CONSUMER CASE No. 120/2023**

Mohammed Faizayes,  
F/o Naimor Rahiman,  
Old No.35, New No.9,  
Second cross Street,  
Rajiv Gandhi Nagar, Karuvadikuppam,  
Puducherry-605008

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Complainant

Vs.

- 1) The Executive Engineer- Urban,  
Electricity Department,  
Puducherry.
- 2) The Assistant Engineer –Town-II,  
Electricity Department,  
Puducherry.
- 3) The Junior Engineer – Muthialpet,  
Electricity Department,  
Puducherry.

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Respondents

This case in C.C. No.120/2023 came up before this Forum for final hearing on 28/08/2023. After hearing both sides having stood over till this date for consideration this Forum has delivered the following:

The case of the complainant is as follows.

A Complaint was received from Mohammed Faizayes S/o Naimoor Rahiman in the capacity of Power of Attorney of givenby his son on 07/08/2023. In the

complaint, the Complainant had stated that the premises is under enjoyment and possession for more than 30 years by Ayesha Begam. Presently, she has transferred the property to her son Mohammed Faizayes by executing consent deed. The existing service connection is in the name of D. Sabir Ali bearing policy No.06-31-02-0240/A1 for the commercial shop. In order to effect name transfer he made enquiry at the local Electricity Office and based on that he gave a letter for cancellation of existing service. He was advised to pay an amount of Rs.120/- on 24/08/2022 which he paid on 08/09/2022. Based on letter No.4051/EE-Urban/JE/F.42/2022/23 from the Junior Accounts Officer-Rev.I the service connection was disconnected permanently by the Assistant Engineer. When he applied for new service connection to the Department, objection was received from one Thiru Parthasarathy, Secretary of the Temple, stating that no service connection should be given as it is an encroached property. It is informed that there are more than 80 Nos. of residents and shops which are being extended in the name of Occupier. But the Temple administration has not given permission for the new service connection. Therefore, the Complainant prayed this Forum to issue necessary directions to the Respondents for effecting new service connection. Hence the complaint.

2. The complaint has been registered as C.C. No.120/2023 on 08/08/2023 and copy of the complaint was sent to the Executive Engineer –Urban and others for giving reply by 21.04. 2023. Reply from the Respondents was received on 21/08/2023. The case was posted for hearing on 28/08/2023.

3. In the Affidavit dated 21/08/2023, the Assistant Engineer Town-II, / Respondent No.2 for himself and on behalf of Respondent No.1 and 3 has stated that one case was filed by Mohammed Faiyaz requesting to reconnect the cancelled service in the name of D. Sabeer Ali. The applicant has raised the complaint due to non-extension of new service connection application. In this connection it is

submitted that there was a commercial service in the name of D. Sabir Ali. They enquired in the Department to know the procedure for name transfer. On enquiry it was informed to submit previous documents with present document. As they are not having previous documents the Petitioner decided to cancel the existing service and to apply for a new service in the name of N. Mohamed Faiyaz who is the owner of place as per the present document. As per his request the previous service was cancelled vide Ref. 1001/ED/Rev-I/Sec-II/2022/404 and new service application in the name of the document owner N. Mohamed Faiyaz was received. During the process an objection was received from Thiru R. Parthasarathy, Secretary to Sri Vera Anjanaya Kothandaramar Kainkarya Sabha and they submitted documents that the existing documents in the name of N. Mohamed Faiyaz were cancelled by District Registrar as per the Orders of the Registration Department. Hence the application was cancelled due to fake documents as reported by Registration Department. If NOC is produced from the Secretary to Sri Vera Anjanaya Kothandaramar Kainkarya Sabha, the Department will extend power supply.

4. Hearing was held on 28/08/2023. Both the Complainant and the Respondents were present. During the hearing the Respondents stated that supply could not be effected, as objection received from the Secretary to Sri Vera Anjanaya Kothandaramar Kainkarya Sabha who furnished cancellation of the existing documents as per the Orders of the Registration Department. The Complainant stated that power supply to existing shop has been cancelled and there was no power supply to run the commercial enterprise.

Observation: On perusal of documents the petitioner had approached the court of law for establishing his right on the property. The matter has been taken up with the Court of Law as per O.S NO.749/2023 which he had not revealed in the time of complaint. The commercial service connection would not be effected in favour of the Complainant as he has not produced any valid documents for establishing

proof of Ownership /occupancy as per Regulation 5.30 of the Supply Code 2018. Further, the service connection has been cancelled based on his request and available documents produced before the Executive Engineer(Urban)/Respondent No1. But while processing the application, the Registration Department has cancelled the document stating that

*“ As per the proceedings No.4225/DRP-304/DRO/RD/2023 dated 13/06/2023 of the District Registrar, the registration of Consent Deed Doc. No.391/2022 dated 15/03/2023 registered in the Sub-Registry, Puducherry has been declared as “Fraudulently Registered Deed”*

Necessary entries were also made in the Encumbrance Certificate.

### ORDER

i. In view of the above, new service connection could not be effected in favour of the Complainant as he has no valid document. Further, based on the outcome of O.S. No.749/2023, the Department may take a stand for effecting new service connection.

ii. Thus the complaint is not allowed.

iii. 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](mailto: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 1<sup>st</sup> day of September, 2023

**Sd/-**  
**(R. KRISHNAMURTHY)**  
**JERC NOMINATED MEMBER**

**Sd/-**  
**(A.S. JITENDRA RAO)**  
**LICENSEE MEMBER**

**Sd/-**  
**(T. GOPALAKRISHNAN)**  
**CHAIRMAN**