

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

WEDNESDAY, THE 4<sup>TH</sup> DAY OF OCTOBER 2023

**CONSUMER CASE No. 128/2023**

D. Suba Anandhi,  
No.32, Laxmi Kalyan Nagar,  
Patchoor,  
Karaikal.

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Complainant

Vs.

- 1) The Executive Engineer-Rural-North),  
Electricity Department,  
Puducherry.
- 2) The Assistant Engineer –Lawspet,  
Electricity Department,  
Puducherry.
- 3) The Junior Engineer –Lawspet,  
Electricity Department,  
Puducherry.

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Respondents

This case in C.C. No.128/2023 came up before this Forum for final hearing on 21/09/2023. 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 D. Suba Anandhi on 28.08.2023. In the complaint, the Complainant had stated that she is the owner of the policy code 23-28-04-0300/A2 and the premises at Door No.12, Kanagavalli Street, Pudupet,

Kottupalayam, Lawspet, Puducherry. Presently at the above premises, first floor was constructed by her brother Suba Ananthan and availed separate service connection vide policy No. 23-28-04-0300A/A2. At the time of new service connection application, she had given objection letter to the Assistant Engineer, Lawspet on 10/10/2022. Further she had given another letter on 29/10/2022. based on her letter the Assistant Engineer, after making enquiry on the matter, kept the application in abeyance. After 28/06/2023, new service connection was given in her brother's name Suba Ananthan. The above service connection was given without her concurrence. Moreover, the Complainant alleged that he signed documents on behalf of herself and given letter to the Department. Hence the Complainant requested to disconnect the service connection. But the Department had not taken any action. Therefore, the Complainant prays this Forum to issue necessary directions to the Respondents to take appropriate action to disconnect the service connection. Hence the complaint.

2. The complaint has been registered as C.C. No.128/2023 and copy of the complaint was sent to the Executive Engineer –Rural-North and others for giving reply by 12.09.2023. Reply received from Respondent No.2 on 13.09.2023 and a copy of the same was communicated to the Complainant. The case was posted for hearing on 21/09/2023.

3. In the reply filed by the Second Respondent i.e. the Assistant Engineer, Lawspet, on behalf of himself and for Respondent No.1 and 3, had informed that one no. of LT domestic service connection was extended in the name of Thiru Suba Ananthan vide policy No. 283689 and Policy code No.23-28-04-0300A/A2. The above mentioned service connection was effected based on the application received and registered vide No. TL-250-D dated 30/08/2022. The applicant has furnished Registered settlement deed for his legal rights in the undivided property and No objection letter from his sister Tmt. Suba Anandhi to avail the new

domestic service connection in his name in Five Rupees Stamp paper. The applicant has furnished undertaking to disconnect the power supply if any objection / dispute arises in future. The applicant remitted service connection charges and security deposit vide receipt dated 12.09.2022. Power supply to the new service connection was effected on 28/06/2022. The applicant had furnished the Registered documents as the proof of ownership as per the JERC Regulations 2018 and the new service connection was effected accordingly. The petitioner has mentioned in her complaint that his brother Thiru Subha Anandhan has unlawfully signed in the “No objection Certificate” on behalf of her. The subject issue of civil in nature. Hence the Forum may please to drop the above complaint. A copy of the test report was also furnished along with the Affidavit.

4. Hearing was held on 21/09/2023. Both the Complainant and the Respondents were present. During the hearing, the Respondent No.2 stated that the application was processed based on the registered settlement deed in favour of the applicant Suba Anandhan. The Complainant stated that she had taken possession of the building by way of Settlement Deed in her favour on 30/06/2006. The entire ground floor about 1000 square feet is to be enjoyed jointly with her brother. Later her father built first floor of the building and given to her brother and he has availed service connection based on some documents. The Respondents stated that the service connection was extended based on the Settlement Deed made by the Complainant in favour the Suba Anandhan on 27/08/2018.

Observation: i. The Complainant had not enclosed the Settlement Deed executed by her father in her brother's favour which has been completely concealed till the Respondents came out with the fact.

ii. In the hearing the Complainant did not deny the Settlement Deed executed in favour of her brother. However, it was stated that there was mutual understanding agreement that the entire ground floor is to be enjoyed by the Complainant and first floor by her brother. Till date her brother had not come forward to execute agreement and misunderstanding between the siblings cropped. The Respondent extended service connection in favour of the applicant Suba Anandhan based on the Settlement Deed and the Department has not done anything in favour of Thiru Suba Anandhan.

iii. Further from the statement of Complainant it is understood that a dispute of civil nature which has to be sorted out in appropriate court of law and this Forum cannot pass any orders in this regard.

#### ORDER

i. The Complaint is liable to be dismissed due to concealing of facts and misrepresentation of grievances by the Complainant. Further as discussed above, the Complainant may seek remedy from the appropriate Court of Law.

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 [cgrfpon@gmail.com](mailto:cgrfpon@gmail.com) within 30 days from the date of this Order under intimation to this Forum and the Respondents.

Dated at Puducherry on this the 4<sup>th</sup> day of October. 2023

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

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

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