

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

PRESENT:

THIRU A.S. JITENDRA RAO, B. Tech., M.B.A.,
CHAIRMAN I/C AND LICENSEE MEMBER

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

THURSDAY, THE 13th DAY OF AUGUST, 2020

CONSUMER CASE No.29/2020

People Forum of India
(Represented by V. Brem Ganesh)
No.280, First Floor, Point care Street,
O.K. Palayam, Mudaliarpeta,
Puducherry - 605104

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Complainant

Vs.

- 1) The Executive Engineer- Urban, O & M,
Electricity Department,
Puducherry.
- 2) The Assistant Engineer, – Marapalam,
Electricity Department,
Puducherry.
- 3) The Junior Engineer, Mudaliarpeta,
Electricity Department,
Puducherry.

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Respondents

This case in C.C. No.29/2020 came up before this Forum for hearing on 07.08.2020. 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. People Forum of India (Represented by Thiru Brem Ganesh) filed a complaint before this Forum on 16/07/2020. The Complainant had mentioned that Tmt. J. Lalitha and Tmt. G. Lakshmi have a plot (No.14) in Bharathi Mill Street, Mudaliarpet, Puducherry and they have approached the Electricity Department and Project Implementation Agency, Puducherry for removal of distribution pillar and timer box installed in front of their plot. But no response from both the Department and Agency and requested orders from this Forum to the concerned Department. Hence, the complaint.
2. The complaint has been registered as C.C. No.29/2020 and notices have been sent to the Respondents on 16/07/2020 to reply on or before 30/07/2020. The Respondent have given reply on 30/07/2020. The case was posted for hearing on 07/08/2020.
3. The Respondents in their reply have informed that they have conducted a joint inspection along with the Project Implementation Agency to see the possibility of shifting the pillar and timer box. The Department further informed that since the pillar was already energized and in service, there is no possibility of shifting the pillar. The timer box can be shifted from the existing place to the nearer to the pillar so that some extra space will be available to the Complainant and they have also informed the position to the petitioner.
4. Hearing was conducted on 07/08/2020. At the outset, the Forum had informed the Complainant that it is purely a civil case and will not come under the jurisdiction of this Forum. But still to find any relief, notice was sent to the Department.

5. During the hearing the Complainant had informed that they were not guided properly in approaching higher authorities during the execution of the scheme. The Junior Engineer, Mudaliarpet, who was present, had informed that the 8 way distribution pillar is in service from January 2020 and it is just not possible to shift the pillar as it will result in interruption of power for many consumers. He had further agreed that the timer box could be fixed to one of the existing posts so that only a portion of the pillar box will be in front of the Complainant's plot.

6. Observation: The pillar and timer box were erected in a public road and are not infringing upon private property. Since this is a civil case, this Forum has no jurisdiction over the issue.

ORDER

- i. Since the subject matter is purely civil dispute in nature, CGRF could not issue any directions to the Department for shifting of the pillar.
- ii. The Complainant may approach appropriate legal authorities for getting relief, still if they want the pillar to be shifted.
- iii. Thus the Complaint is dismissed.
- iv. The Complainant is at liberty to prefer an appeal against this Order before the Ombudsman, Joint Electricity Regulatory Commission for the state of Goa and Union Territories, 3rd and 4th Floor, Plot No. 55-56, Pathkind Lab Building, Sector -18, Udyog Vihar, Phase IV Gurugram, (122015) Haryana within 30 days from the date of this Order under intimation to this Forum and the Respondents.

Dated at Puducherry on this the 13th day of August 2020.

Sd/-

(R. KRISHNAMURTHY)
JERC NOMINATED MEMBER

Sd/-

(A.S. JITENDRA RAO)
CHAIRMAN I/C &
LICENSEE MEMBER