

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

WEDNESDAY, THE 22<sup>ND</sup> DAY OF MARCH 2023

**CONSUMER CASE No.29/2023**

V. Rani, W/o Vaithianathan,  
No.8, SS Nagar,  
Thondamanatham,  
Villianur Commune,  
Puducherry 605 502.

....

Complainant

Vs.

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

....

Respondents

This case in C.C. No.29/2023 came up before this Forum for final hearing on 20/03/2023. 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 V. Rani on 01/02/2023. In the complaint, the Complainant had stated that she is residing in the above mentioned address. A land to the extent of 1620 square feet at RS No.56/7, Cadastre No.273 6\9, 3Are, 5Kuzhi 10 Veeram out of which 2 Kuzhi 13 Veeram was registered in her name on 26/08/2022. Wherein, she built two numbers of shops with tiled roof. She has applied for service connection for the above two shops on 10/09/2023. However, no action was taken by the Department to extend power supply. The Complainant therefore prayed this Forum to issue necessary directions to the Respondents for extension of service connection. Hence, the Complaint.

2. The complaint was registered as C.C. No.29/2023 on 01/02/2023 and copy of the complaint was sent to the Executive Engineer, Rural (South) and others to furnish reply by 13/02/2023. The Assistant Engineer, Lawspet sought for extension of time to furnish reply upto 17/02/2023. Reply from the Assistant Engineer Lawspet/ Respondent No.3 was received on 09/02/2023 and a copy of the same was communicated to the Complainant. The case was posted for hearing on 09/03/2023.

3. In the Affidavit dated 15/02/2023, the Assistant Engineer, Rural South/ Respondent No.2 filed for himself and on behalf of Respondent 1 and 3 had stated that, a petition dated 15/09/2022 has been received from Tmt. Hemalatha W/o Selvaganapathy Puducherry. It has been stated that the place situated at RS No.56/7, Cadaster No.273/6/9 belong to Tmt Hemalatha and one Thiru Raja S/o Kandeepan has applied for new service connection. In this connection, one petition was received stating that a Court case is in trial vide I.A. No.10983 of 2021 in OS No.159 of 2018 in the Hon'ble II Additional District Judge of Puducherry Court and if the Department given electricity connection in favour of Thiru Raja, the details relating to the effecting of new service connection shall be gives to the petitioner, if the details not satisfied, court case will be filed against the Department. Hence, service connection is not to be effected. The Respondent No.2 further stated that on

receipt of the petition, this Sub-Division has verified that whether any application have been received from Thiru Raja S/o Kandeepan, at RS No.56/7, Cadaster No.273/6/9 Bahour Road, Uruvaiyar Village and found that no application has been received in the name of Thiru Raja S/o Kandeepan but it has been found that an application for new service connection to a vegetable shop for a load of 400 watts in the name of Rani W/o Vaithianathan in the RS No.56/7 and the property has been sold by Thiru Raja S/o Kandeepan to Tmt. Rani W/o Vaithianathan. On field verification it has been found that there is a sum of Rs.1,66,112/- is pending due to the Department in respect of the service connection 46-54-05-0453/A2 which was in the name of Thiru Raja, Bahour Main Road, Uruvaiyar, Puducherry who is the seller of the property vide Document No.27066/2022. The amount has been referred to the Revenue Section of the Department to recover under Revenue Recovery Act. The processing of the application for new service connection cannot be treated like processing the ordinary one since, a petition has been received informing about the court case, it requires legal opinion of the Department. In this connection, the file has been sent for legal opinion of this Department legal wing. The same has been informed to the applicant vide letter dated 08/02/2023.

4. On 09/03/2023, the Complainant informed through her messenger to this Forum that she was unable to attend the hearing due to prior family commitments and orally requested for adjournment. Therefore, the case was adjourned to 20/03/2023.

5. Hearing was held on 20/03/2023. Both the Complainant and the Respondents were present. During the hearing, the Complainant stated that there is no case pending before any Court of law against her in respect of the above property for which new service connection is sought for. The Complainant further submitted that she has purchased the plot and subsequently constructed a shop without using electricity. Further it is evident that there is no specific direction from the Court of Law against the Respondents to give new service connection to the Complainant. The

Respondent have submitted that the erstwhile owner of the property had an arrears of Rs.1,66,112/- and therefore action has been taken against him through Revenue Recovery Act. This Forum enquired the Respondent when they have initiated Revenue Recovery proceedings against the erstwhile owner of the property viz. K. Raja for recovery of arrears. The Respondents have just referred the matter to the Revenue Section to initiate proceedings through Revenue Recovery Act. But till date it is lying with the Revenue Section and so far no action has been taken by them. The Complainant further submitted that while constructing the shop nobody has prevented at any level. Therefore, it is revealed that the Complainant is in possession of the property and therefore she is entitled to get new service connection as prayed in the complaint. The Respondent also obtained the legal opinion from the Law Officer which directs the Respondents to follow the Provisions of Supply Code 2018

#### ORDER

- i. The Respondents are directed to proceed on the new service connection application filed by the Complainant within 10 days from the date of this Order.
- ii. The Respondents are further directed to obtain an undertaking from the Complainant with suitable conditions to safeguard them from clutches in future.
- iii. The Respondents are directed to initiate proceedings against the erstwhile owner of the property as per the provisions of Revenue Recovery Act.
- iv. The Complainant is directed to remit the charges prescribed by the Respondents on demand. The Complainant is directed to give undertaking in such a manner as demanded by the Respondents to avail new service connection without any hindrances.
- v. Thus the complaint is allowed.
- vi. 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 22<sup>nd</sup> day of March, 2023

**Sd/-**

**(R. KRISHNAMURTHY)**  
**JERC NOMINATED MEMBER**

**Sd/-**

**(A.S. JITENDRA RAO)**  
**LICENSEE MEMBER**

**Sd/-**

**(T. GOPALAKRISHNAN)**  
**CHAIRMAN**