

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

PRESENT:

THIRU T. GOPALAKRISHNAN, B.E.,
CHAIRMAN

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

WEDNESDAY, THE 29TH DAY OF SEPTEMBER 2021

CONSUMER CASE No.47/2021

M. Subramanian S/o
R. Kaliaperumal,
No.11, Nethaji Nagar,
Surakudy,
Thirunallar,
Karaikal-609607

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Complainant

Vs.

- 1) The Executive Engineer,
Electricity Department,
Karaikal.
- 2) The Assistant Engineer – Rural,
Electricity Department,
Karaikal.
- 3) The Junior Engineer, Thirunallar,
Electricity Department,
Karaikal.

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Respondents

This case in C.C. No.47/2021 came up before this Forum for final hearing on 15/09/2021 at Karaikal. 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 has been received from K. Subramanian during the Camp of this Forum held on 17/08/2021 at Thirunallar, Karaikal. In the complaint, the Complainant has stated that, he owns house having the service connection having policy code No.66-74-05-0451. He has stated that HT lines are almost touching his house and requested to shift the lines. In this regard, he has given two complaints, but no action had been taken. The Complainant prayed for necessary action to shift the HT lines. Hence, the complaint.

2. The complaint has been registered as C.C. No.47/2021 on 17/08/2021 and copy of the Complaint has been handed over to the Executive Engineer, Karaikal for giving reply by 27/08/2021. The reply from the Executive Engineer, Karaikal was received on 07/09/2021 and a copy of the same has been forwarded to the Complainant. The case was posted for hearing on 15/09/2021, at Karaikal. Hearing was attended by both parties.

3. In the affidavit dated 27/08/2021, the Respondent 2 on behalf of himself and Respondent No.1 had stated that, the Complainant has requested to shift the HT line due to hindrance to his commercial building construction. In this regard, during the field visit was found that the Complainant has constructed RCC commercial building very close to the existing 11 KV Thirunallar feeder near Surakudy Fire Service station. The Respondent further stated that one estimate for shifting HT line has been prepared and the Complainant has been informed to bear the entire shifting charges. The work will be completed as per the request of the Complainant on receipt of payment.

4. The Complainant has stated that the amount of shifting charges as communicated by the Department is Rs.61,794/- and he is not in a position to bear the expenses and asked to reduce the amount. The Respondents were directed to review and examine any possibility of reducing the estimate amount before the end of the hearing time. The Respondents informed that, further reduction is not

possible, after examining. Existing lines can be shifted only on payment of necessary charges, but complete shifting of HT lines is not possible due to site condition. The Complainant expressed his inability to bear the shifting charges.

5.Observation: The 11 KV HT line from Surakudy SS has been constructed long back and the Complaint as the second entrant and as per the procedure, request of shifting could be carried out only on payment of necessary charges. The Respondent had not issued caution notice to the Complainant when the building was constructed in close proximity to the HT lines to the safety of men and materials.

ORDER

- i. The Complainant is directed to deposit the shifting charges of Rs.61,794/- within one month to enable the Respondents to proceed further.
- ii. The Respondent is directed to arrange to shift the HT lines on receipt of payment from the Complainant and send a compliance report to this Forum on completion of work.
- iii. Therefore, the complaint is closed accordingly.
- 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 Floor, Plot No. 55-56, Pathkind Lab Building, Service Lane, Udyog Vihar, Phase IV, Sector -18 Gurugram, Haryana-122015 within 30 days from the date of this Order under intimation to this Forum and the Respondents.
- v. Non-compliance with the directions of Forum by the Licensee shall attract remedial action under Sections 142 and 146, of the Electricity Act 2003.

Dated at Puducherry on this the 29th day of September 2021.

Sd/-

Sd/-

(R. KRISHNAMURTHY)
JERC NOMINATED MEMBER

(T. GOPALAKRISHNAN)
CHAIRMAN