

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

FRIDAY, THE 24TH DAY OF DECEMBER 2021

CONSUMER CASE No.96/2021

S. Mohanasundaram,
No.12, Thiru V.K. Nagar,
Ammaiyar Nagar,
Keezhakasakkudy,
Karaikal.

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Complainant

Vs.

- 1) The Executive Engineer,
Electricity Department,
Karaikal.
- 2) The Assistant Engineer –Town-II,
Electricity Department,
Karaikal.
- 3) The Junior Engineer – Town-North
Electricity Department,
Karaikal.

....

Respondents

This case in C.C. No.96/2021 came up before this Forum for final hearing on 10/12/2021. 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 S. Mohanasundaram during the CGRF camp hearing held on 17/11/2021 at Karaikal. In the complaint, the Complainant had stated that he is the owner of the Plot No.1,2,3,4 and 5 situated in Karaikal town, Thalatheru village, Ward-B, Block 4, T.S. No.8/5 in R.S. No.121/5. He further stated that Electricity Department had erected an RCC Pole in his plot to give service connection to one house which is situated at some distance. Therefore, he gave an objection letter with all relevant documents on 18/08/2021 and on 18/10/2021 to the Assistant Engineer requesting to shift the pole erected in his plot. But till date the same was not shifted for which he has sustained mental agony. Since, he is going to construct house in his plot he prays this Forum to direct the Respondent to shift the RCC pole to some other place. Hence, the Complaint.

2. The complaint has been registered as C.C. No.96/2021 on 17/11/2021 and the copy of the complaint was handed over to the Executive Engineer, Karaikal and others to furnish reply by 29.11.2021. Reply from the Respondents was received on 01/12/2021.

3. In the Affidavit dated 29/11/2021, the Assistant Engineer, Town-II / Respondent No.2 on behalf of Respondent No.1 and 3, had stated that, the site has been inspected based on the complaint submitted by the Complainant dated

18/08/2021. It is informed that one number of NSC application near the petitioner plot has been received from Senthamarai Plot No.9, All India Radio back side, Thalatheru Village in Karaikal and estimate has been sanctioned under 'Other Receipt' head of account for extension of power supply to the applicant. Based on the sanction, pole and line has been erected as per the estimate. In the meantime, objection has been raised from the Complainant informing that the poles erected for the new service connection are in the Complainant plot which has to be shifted. On verification of the site, poles that are lying on the petitioner plot will be shifted within a period of two weeks from this date subject to majeure condition.

4. The case was posted for hearing on 10/12/2021 at Karaikal. Both the Complainant and the Respondents attended the hearing. During the hearing, the Respondents have submitted before this Forum that the erected pole has been shifted from the Plot of the Complainant and subsequently erected on the existing path way which was situated behind the Complainant's plot. But there is no common path way and it is his plot only. The Respondent stated that it is a common path way as per sketch. To prove the same the Respondents have filed the sketch after shifting the RCC pole. But the Complainant has argued that there is no existing path way behind his plot and he is absolute owner of the earmarked portion shown there on.

ORDER

i. Since the request of the Complainant is carried out by the Respondent, the Complaint is closed accordingly. If the Complainant wants to shift the pole still further to some other place, from the marked path way, the Complainant is

directed to produce relevant documents to show that there is no such common existing path way.

ii. 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.

Dated at Puducherry on this the 24th day of December, 2021

Sd/-

(R. KRISHNAMURTHY)
JERC NOMINATED MEMBER

Sd/-

(A.S. JITENDRA RAO)
LICENSEE MEMBER

Sd/-

(T. GOPALAKRISHNAN)
CHAIRMAN