

CONSUMER GRIEVANCE REDRESSAL FORUM
CENTRAL REGION

(Formed under Section 42(5) of the Electricity Act 2003)

220 kV Substation Compound, HMT Colony P.O. Kalamassery, Pin – 683 503
 Phone No. 0484-2556500 Website: cgrf.kseb.in, Email: cgrf.ekm@gmail.com,
 CUG No. 9496008719

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| Present | (1) Smt.Sheeba. P (2) Sri. Biju Varghese | Chairperson 3 rd Member |
| Petitioner | Sri. Umesh T.Shenoy, Chembil House, A.N. Puram, Alappuzha. | |
| Respondent | 1) The Assistant Executive Engineer, Kerala State Electricity Board Ltd, Electrical Sub Division, Alappuzha North; Alappuzha 2) The Assistant Engineer, Kerala State Electricity Board Ltd, Electrical Section, Alappuzha North; Alappuzha | |

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No.CGRF-CR/OP No.33/2023-24

Date: 30-09-2023

ORDER

Background of the case:

The petitioner, along with his mother, Smt. Indira Bhai, possesses a property situated in Thekkanaryadu Village, which falls under the jurisdiction of Electrical Section, Alappuzha North. The petitioner complaints regarding the electricity connections associated with consumer numbers 1155010003918 (Sri.Balakrishna Pillai) and 1155019031752 (Sri.Sabu R.)which were given to the petitioner's property without their consent or knowledge. The petitioner alleges that these electric connections were acquired using fake documents. Despite the petitioner's request, the respondent has not taken any favourable action to disconnect these

connections. Consequently, the petitioner has approached this Forum seeking the removal of these connections.

Version of the Petitioner:-

The petitioner states that the petitioner along with his mother Smt.Indira Bhai is having the possession of a property which is located in the Thekkanaryadu Village. The petitioner complains against the granting of electricity connections bearing consumer numbers 1155010003918 and 1155019031752 that were provided in the property of the petitioner without the consent and knowledge of the petitioner and his mother. The petitioner argues that the above mentioned electric connections were obtained by submitting fake documents, there by manipulating the licensee. Hence the petitioner requested the respondent to dismantle these electric connections. But the request of the petitioner for dismantling those connections was rejected by the respondent. Thus on 02/03/2023, the petitioner filed an application under the Right to Information Act before the respondent seeking the details and documents upon which the disputed electric connections were provided by the licensee; but the letter of reply provided by the respondent was lacking clarity.

The petitioner argues that it is the duty of the licensee to check the availability of valid proofs and documents of the applicants proving their ownership, before providing electric connections. The petitioner further argues that the owners of the two disputed electric connections cannot provide any valid and legal documents proving their ownership. Thus the petitioner requests this Forum to dismantle these connections.

Subsequently, statement of facts was called for and the same was submitted by the respondent on 01/09/2023.

Version of the Respondent:-

The respondent states that the electrical connection bearing consumer number 1155010003918 is registered in the name of Sri.Balakrishna Pillai,

Thekkeparambil (H), Kottankulangara, Alappuzha, under LT-VII B tariff with a connected load of 200W w.e.f. 01/01/1973. The supply to this connection is provided from Punnamada Jetty Transformer and the average monthly consumption of this connection is only one Unit. Also there exist no dues this consumer till date. The respondent states that no further document regarding this consumer is available in the office of the respondent.

The respondent states that another electrical connection bearing consumer number 1155019031752 is registered in the name of Sri.Sabu R., Vattakkotta Chira, Aryad South, under construction purpose w.e.f. 16/06/2021. The respondent states that, in order to get the electricity connection, Sri.Sabu R. had submitted a copy of the Aadhar Card and a copy of the land-tax receipt vide number KL04010305376/2021 dated 05/05/2021 issued by the Aryaadu Village Office. Later Sri.Sabu R. applied for tariff and purpose change from construction purpose to domestic purpose under LT-IA tariff and had submitted all the same documents which were submitted before by this consumer for obtaining this electric connection. The respondent declares that Sri.Balakrishna Pillai and Sri.Sabu R. are residing in these buildings and that no arrears are outstanding against these consumer numbers as on date.

Analysis and findings:

Hearing was conducted at the chamber of the Chairperson, Consumer Grievance Redressal Forum, Ernakulam. The Forum afforded an opportunity to hear the Petitioner and the Respondent on 30-09-2023. Both the petitioner and the respondent were present for hearing. Having examined the petition in detail and the statement of facts of the respondent, considering all the facts and circumstances in detail and perusing all the documents of both sides, the Forum comes to the following observations, conclusions and decisions thereof.

During the hearing, the petitioner disclosed that a civil case bearing No.182/2023 and 711/2019 is currently pending before the Hon'ble Additional Munsiff Court, Alappuzha, concerning the ownership of the property in question.

The petitioner also provided a letter to this Forum, confirming the same details on the day of the hearing. In light of this information, this Forum concludes that, since a legal case regarding the ownership of the property is already under consideration by the Hon'ble Additional Munsiff Court, this petition is not maintainable within the jurisdiction of this Forum and as such, this petition is dismissed.

DECISION:

Considering the above facts and circumstances, the Forum issues the following orders:-

- 1) The petition is dismissed since a case regarding the ownership of the property of the petitioner has been filed and is currently pending before the Hon'ble Additional Munsiff Court, Alappuzha.**
- 2) No cost ordered.**

The petitioner is at liberty to file appeal before the State Electricity Ombudsman, D.H. Road, Off shore Road Junction, Near Gandhi Square, Ernakulam, Pin – 682 016 (Ph: 0484 -2346488 , Mobile No. 8714356488) within 30 days of receipt of this order, if not satisfied with this decision.

Dated this 30th day of September, 2023

Sd/-

Sri.Biju Varghese
3rd Member
CGRF, Ernakulam

Sd/-

Smt. Sheeba. P
(CHAIRPERSON)
CGRF-CR, Ernakulam

Endt. On CGRF-CR/OP No.33/2023-24 Dated
Delivered to

Sri. Umesh. T.Shenoy,
Chembil House, A.N. Puram,
Alappuzha.

CHAIRPERSON
(DEPUTY CHIEF ENGINEER)
CGRF-CR, KALAMASSERRY

Copy submitted to: 1)The Secretary, KSEBL, Vydhyuthi Bhavanam, Pattom,
Thiruvananthapuram.
2) The Secretary, Kerala State Regulatory Commission,
KPFC Bhavanam, C.V Raman Pillai Road, Vellayambalam,
Thiruvananthapuram.

Copy to: - (1) The Deputy Chief Engineer, Electrical Circle, KSEBL,
Alappuzha
(2) The Executive Engineer, Electrical Division, KSEBL,
Alappuzha
(3) The Assistant Executive Engineer, Electrical Sub Division,
KSEBL,Alappuzha North
(4) The Assistant Engineer, ElectricalSection,Alappuzha North