

Consumer Grievance Redressal Forum
Kerala State Electricity Board - Southern Region,
Vydyuthi Bhavanam, Kottarakkara

No: CGRF/KTR/OP.No.718/2012/1252

Date: 4.5.2012.

From

Chairperson

To

The Assistant Executive Engineer,
Electrical Sub Division,
K.S.E Board,
Perinad, Kollam.

Sub: - Releasing of order of disposal of OP.No.718/2012.

Ref: - B.O (FB) No.585/2006 (LA.II/1173/2006) dated 25.2.2006.

Sir,

Enclosed the order of disposal of petition filed by Sri. M. Mytheenkutty in O.P.No.718/12 for further action.

Yours faithfully,

CHAIRPERSON
DEPUTY CHIEF ENGINEER
CGRF (SOUTH)

Copy to:-

1. Sri. M. Mytheenkutty., Ecstasy, 1 Vidyanagar, C.T. Junction
Karickode, Kollam.
2. The Deputy Chief Engineer, Electrical Circle, Kollam.
3. The Executive Engineer, Electrical Division, Kollam.

**CONSUMER GRIEVANCE REDRESSAL FORUM (SOUTH),
KOTTARAKKARA**

Present: 1. Sri.R.Suku, Chairperson, Deputy Chief Engineer
2. Smt. Beena Pious, Executive Engineer
3. Sri.N.Sasidharan Unnithan, Member

Tuesday the 24th day of April 2012

OP No.718/2012

Between

Petitioner: Sri.M. Mytheenkutty.,
Ecstasy, 1 Vidyanagar,
C.T. Junction,
Karickode,
Kollam.

And

Respondent: The Assistant Executive Engineer,
Electrical Sub Division,
Perinadu,
Kollam.

Grievance of the Petitioner

The petitioner filed the complaint as follows:-

With reference to the petitioner's application for an electrical connection in Sy.No.227 extending 58 cents for construction purpose the estimate was prepared with and he was asked to deposit Rs.12000/- for laying a post and drawing overhead line of 40m and weatherproof service line of 32 m to temporary switch board installed in his property. Accordingly a post was installed in his property which is the most economical and least inconvenient route from the post through his passage. He was denied the connection due to the influence of higher officials or other sources. After about 3 months, the petitioner was asked to pay a further sum of Rs.5000/- for giving him connection as per

another proposal without his knowledge which he objected as the proposal was more inconvenient and more expensive to him.

The first proposal was through a passage of 80 cm width possessed by him including right for extending electricity and water connection lines. The matter was delayed unduly after laying post in his property causing mental agony and financial loss. After a lot of persuasion the matter was reported to ADM, Kollam stating that there is dejection for drawing the overhead weatherproof service line which was totally false. The report given by Asst. Executive Engineer, Electrical Sub Division, KSEB, Perinad was totally false as the overhead weatherproof service line was to pass through his property only. A post was installed in his property to which connection was to be given from the post already laid in the passage to petitioner's property. He presume that the Assistant Executive Engineer has given such a false report and presented second proposal under the influence of higher officials or other sources. He has filed his objection to the notice of the ADM.

It is seen that electrical connection is given to his neighbour Mr. Paul by illegally installing a post in his passage without his or prior owner's consent. This has created hindrance to use of the passage to his property. The petitioner requested to remove this post and install at a location convenient to him and give him a connection by laying overhead line from that post to the post installed in his property which is the most economic path to him with least inconvenience.

Version of the Opposite party

The opposite party filed a version as follows:-

Complainant has remitted an OYEC amount of Rs.10450/- and CD amount Rs.1000/- on 17/6/2011 for getting an electric connection for construction purpose. A temporary meter board was installed at the

middle of the plot. Proposed route was objected by Sri. Paul, Arathi Puthen veedu, Mangadu P.O., Kollam who was the nearest property owner. He claimed that the pathway shown does not belong to the complainants property.

As the nearest property owner objected the proposed route during the erection of post for giving service connection to the complainant an alternate route was proposed and for this an additional OYEC amount Rs.5000/- was needed.

There was an objection regarding the passage mentioned in the complaint. Request was forwarded to ADM for taking decision. On hearing ADM has ordered for an alternate route which was through the property of the complainant.

Discussion and Findings

The petitioner applied for service connection for construction purpose as per his application dtd.14/6/2011. The petitioner remitted the cash deposit on 17/6/2011. Thereafter, while drawing line for giving supply, one Paul, Arathil Puthen veedu, Mangadu P.O., Kollam, the nearest property owner, obstructed the drawing of the line on the ground that, the proposed route is upon his property.

In view of the above objection, the matter was referred to the ADM for resolving the dispute under Section 16 of the Telegraph Act. The ADM visited the plot, issued notice to the parties, heard them and disposed the petition, as per order dtd.27/2/2012 with a direction to draw the line, through an alternate route, "PQRC" proposed by the opposite party. Even though the petitioner was present before the ADM, at the time of taking a decision, on the basis of the alternate proposal of the opposite party, the petitioner, later objected to the drawing of the line as directed by the ADM. According to him, the alternate route, "PQRC" proposed by the opposite

party, and ordered by the ADM, was not acceptable to him. So the petitioner again made a complaint to the ADM for resolving the dispute by reviewing the earlier order. The ADM, forwarded that petition to the Assistant Executive Engineer. In the meantime the petitioner, submitted a complaint dtd.20/3/2012 to the Deputy Chief Engineer, Electrical Circle, Kollam in the matter. The Deputy Chief Engineer inspected the site on 4/4/2012 and convincing the subsisting dispute, directed the Assistant Executive Engineer, Electrical Sub Division, Perinad to take up the matter with the ADM for deciding the issue.

It is further noticed on perusal of the records available on file that, the petitioner also filed a civil suit, before the Munsiff court Kollam, against Mr. Paul Edison & others and obtained a temporary injunction in IA No.3099/2011 in OS No.543/2011 restraining the defendant from causing any waste or obstruction to the plaint schedule until further orders.

ORDER

In view of the direction of the Deputy Chief Engineer, to take up the matter to the ADM, Kollam, and also in view of the pendency of the civil suit before the Munsiff court, Kollam, regarding the dispute over the property upon which, the line was proposed to be drawn, for giving connection to the petitioner, is pending it is not proper for this forum to intervene into the complaint at present. Hence the complaint is closed with liberty to the petitioner to approach this forum again, if the circumstances so warrants.

If the petitioner is not satisfied with the above order of this Forum, he/she is at liberty to prefer appeal before the Electricity Ombudsman within 30 days from the date of receipt of this order. The address of the Electricity Ombudsman is furnished below.

*State Electricity Ombudsman, Pallikkavil Buildings, Mamangalam-
Anchumana Temple Road, Opp:Kochi Corporation Regional Office,
Edappally, Kochi – 682 024, Ph: 0484 -2346488.*

Sd/-
BEENA PIOUS
EXECUTIVE ENGINEER,
MEMBER

Sd/-
N.SASIDHARAN UNNITHAN
MEMBER

Sd/-
R.SUKU
CHAIRPERSON
DEPUTY CHIEF ENGINEER

Forwarded

CHAIRPERSON
(DEPUTY CHIEF ENGINEER)
CGRF (SOUTH), KOTTARAKKARA.

