

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

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No: CGRF/KTR/OP.No.723/2012/1249

Date: 2.5.2012.

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From

Chairperson

To

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

Sub: - Releasing of order of disposal of OP.No.723/2012.

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. B. Sasi in  
O.P.No.723/12 for further action.

Yours faithfully,

CHAIRPERSON  
DEPUTY CHIEF ENGINEER  
CGRF (SOUTH)

Copy to:-

1. Sri. B. Sasi, V.S. Bhavan, Mulloor P.O., Vizhinjam.
2. The Deputy Chief Engineer, Electrical Circle,  
Thiruvananthapuram (Rural).
3. The Executive Engineer, Electrical Division, Neyyattinkara.

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Office: CGRF(S), Vydyuthi Bhavanam, Kottarakkara, Pin – 691 506  
Web site: [cgrf.kseb.in](http://cgrf.kseb.in) E- mail: [cgrfctr@ksebnet.com](mailto:cgrfctr@ksebnet.com), Phone: 0474 – 2451300

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

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Present: 1. Sri.R.Suku, Chairperson, Deputy Chief Engineer  
2. Smt. Beena Pious, Executive Engineer  
3. Sri.N.Sasidharan Unnithan, Member  
Thursday the 19<sup>th</sup> day of April 2012

**OP No.723/2012**

Between

Petitioner: Sri. B. Sasi,  
V.S Bhavan,  
Mulloor P.O.,  
Vizhinjam.

And

Respondent: The Assistant Executive Engineer,  
Electrical Sub Division,  
Vizhinjam.

**Grievance of the Petitioner**

The petitioner has purchased a property with a building having electric connection vide Consumer No.10409 of Kanjiramkulam Electrical Section, from Smt. C. Sarojini by Sale Deed Ho.1794 of Venganoor Sub Registrar office, on 5<sup>th</sup> August, 2011. He was residing with his family in the said building which is a pucca concrete building from the date of sale deed till recently, and the current charge is being paid by him under domestic tariff and the latest bill date is on 9<sup>th</sup> March, 2012.

In the meantime he had made a request to change the ownership of electric connection in his favour as per sale deed and remitted the fee Rs.10, Rs.25/- and Rs.100/- as application, testing fee, and processing fee respectively on 22<sup>nd</sup> February, 2012 and also ready to remit the ACD if any to be remitted by the petitioner in this regard. The electric connection to the above said building/premises was disconnected on

13/3/2012 without mentioning any reason or notice. This was brought to the notice of Assistant Engineer, and requested to reconnect the service immediately in person on 15/3/2012, and recorded it in the complaint book on 15/3/2012, 17/3/2012, and 20/3/2012, but in vain. Thereafter a complaint was made before the Executive Engineer, Electrical Division, Neyyattinkara, on 21/3/2012. But the service connection was not resumed till date and the premises are being continued as such in this disconnected status.

Due to the disconnection of electric supply to the building he was forced to shift his residence with family to another inconvenient residence and hence he was experiencing much difficulties to manage the day to day life. He prays for an order to reconnect the service forthwith and award a compensation for the unauthorized disconnection of supply from the concerned officers as per rules now in force.

**Version of the Opposite party**

The opposite party filed a version as follows.

The petitioner has applied for ownership change of service connection No.10409, which is in the name of Smt. C. Sarojini, Therivila Puthenveedu, Mannakkallu, Nellimoodu P.O., on 22<sup>nd</sup> February 2012 with the Assistant Engineer, Electrical Section, Kanjiramkulam and paid Rs.10/- as application fees, Rs.100/- as processing fees and Rs.25/- as testing fees. Based on the application received from the petitioner, site was inspected and found dangerously low lying weather proof wire and shifting of meter. On 15/12/2011, the Sub Engineer had prepared a site mahasar after seeing that the meter was shifted and placed on new wall of a building under construction and the weather proof wire and low lying dangerously. To avoid accidents the supply to the premise was disconnected as per clause 38 e and f of KSEB Terms and Conditions of Supply 2005. On enquiry with neighbours it was understood that the land was sold by the previous owner. Since the details of the present

owner was not known, the copy of the site mahasar was pasted by the Sub Engineer on the building.

Sub Engineer had again visited the site on 9/3/2012 and at that time Sri. Gopi (Consumer No.7055), Therivila Puthenveedu, Nellimoodu has raised objection to draw service wire across his property to give reconnection to Consumer No.10409, as the previous owner had sold the property. All the details about disconnection of supply, preparation of site mahasar, unauthorized shifting of meter and weather proof wire, objection raised by the neighbours, etc were explained to the petitioner in person on 15/3/2012 by the Assistant Engineer, when the petitioner visited the office. Even after hearing all the details, the petitioner had submitted another application to the Assistant Engineer to effect the ownership change and to reconnect the supply. Hence, on the same day the Assistant Engineer send registered letter dt.15/3/2012 to the petitioner explaining the details. It was returned by the postal authorities on 2/4/2012 mentioning "No such B. Sasi in V.S. Bhavan at Mulloor P.O." On 15/3/2012, Sri. Gopi (Con.No.7055) Therivila Puthen Veedu, Nellimoodu had filed an objection before the Assistant Engineer in drawing weather proof wire across the property to reconnect the service.

It is true that the petitioner had applied for ownership change of Consumer No.10409 presently in the name of Smt. C. Sarojini, Therivila Puthenveedu, Mannakkallu, Nellimoodu P.O., on 22<sup>nd</sup> February 2012. But on detailed verification of records submitted by the petitioner certain anomalies were noted. The petitioner had submitted documents to show that he had purchased the land and building owned by Smt. C. Sarojini vide sale deed No.1794/2011 of Sub Registrar, Venganoor. The copy of sale deed shows Smt. C. Sarojini sold her land and a coconut leaf thatched building of 300 sq.Ft situated in Resurvey No.370/21 (Old Survey No.135/5) of Kottukal Village to the petitioner with building

No.PK XI/210. On verification of service connection records of Smt.C. Sarojini, it shows that the service was effected to the consumer to a building with thatched roof with No.PK X/680 in Survey No.128/IC of Kottukal Village with a connected load of 100 watts. From the documents submitted by the petitioner, it is required to change the ownership of the Consumer No.10409 to the building PK XI/210 with a connected load of 3300 Watts. The sale deed shows that the petitioner had purchased a coconut leaf thatched roof building of 300 Sq.Ft in old Survey No.135/5 where as per the service connection records, the original connection was given to thatched roof building in Survey No.128/IC, which shows that the building to which the connection given originally differs from the building purchased by the petitioner. However due to reasons mentioned in this statement of facts, the application for ownership change could be processed.

The service was disconnected on 15/12/2011 itself and till 15/3/2012 the petitioner had not approached the office for reconnection. In the petition filed by the petitioner to the Hon'ble CGRF that he was residing in the building since August 2011. At the same time he was not aware of the disconnection of supply till 15/3/2012. Even in the request submitted by the petitioner on 22/2/2012 there was not mentioning about disconnection of supply. Hence the statement made by the petitioner is totally contradictory. From the details, it is inadvertently proved that all the claim made by the petitioner is totally false and misleading. Moreover, it was found that the petitioner had unauthorizedly shifted the meter and weather proof wires associated with Consumer No.10409 to his newly constructed building. This act of the petitioner is violation of Section 138 of Indian Electricity Act 2003, which is also a criminal offence, for which KSEB reserves its rights to proceed against the petitioner.

In the light of the merits of the facts submitted above, it is humbly prayed that the petition submitted by the petitioner may be dismissed with cost.

### **Discussion and Findings**

The petitioner purchased the property with a residential building having Consumer No.10409 originally assigned to Smt. C. Sarojini transferor of the property, on 5/8/2011 as seen, from the copy of the sale deed produced. He applied for transfer of ownership on 22/2/2012, after remitting the required fees. These are admitted facts, but the case of the opposite party is that, even prior to the application of change of ownership, the supply was disconnected on 15/11/2011, finding the weather proof wire lying dangerously, in order to avoid accidents. Hence it is seen that the disconnection was made, in order to avoid accidents by the low-lying WP wire. If so, supply can be re-effected by erecting the wire keeping the required clearance by installing WP support. The opposite party argued some other matter related to the ownership of the said connection. In the version, the opposite party stated that the reason for disconnection of supply is related to safety aspects. Therefore, the opposite party has to reconnect the supply ensuring all the safety aspects. The issues regarding the ownership shall be considered later by the opposite party since those issues do not have any connection with this petition.

### **ORDER**

Having regard to the facts and circumstances of the case, and also the documents available on file and the arguments advanced by the parties, this complaint is disposed of with the following orders.

- (1) Supply shall be restored to the petitioner by keeping the statutory clearance of the weather proof line, within 3 days from the date of receipt of this order.

- (2) The prayer of the petitioner for compensation is declined for want of jurisdiction of this forum to entertain the same.
- (3) No order as to cost.

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.

