

**BEFORE THE FORUM FOR REDRESSAL OF CONSUMER GRIEVANCES OF
SOUTHERN POWER DISTRIBUTION COMPANY OF A.P LIMITED TIRUPATI**

This the 31st day of August 2012

C.G.No:117/2012-13/Ongole Circle

Present

Sri K. Paul
Sri A.Venugopal
Sri T.Rajeswara Rao
Sri K. Rajendra Reddy

Chairperson
Member (Accounts)
Member (Legal)
Member (Consumer Affairs)

Between

Smt.Pamidi Mina Kumari
C/o Kotaiah
D.No.3T-1-434
1st lane, Ramnagar, Ongole
Prakasam-Dist.

Complainant

And

1. Assistant accounts Officer/ERO/Town/Ongole
2. Assistant Engineer/Operation/D-2/Ongole
3. Assistant Divisional Engineer/Operation/Ongole

Respondents

Smt.Pamidi Mina Kumari, C/o Kotaiah, D.No.3T-1-434, 1st lane, Ramnagar, Ongole, Prakasam-Dist. herein called the **complainant**, in **her** complaint dt:08-06-2012 filed in the Forum on dt:08-06-2012 under clause 5 (7) of APERC regulation 1/2004 read with section 42 (5) of I.E.Act 2003 **has** stated that

1. She is having one domestic service bearing SC.No.23095 at Ramnagar of Ongole Town.
2. She let out the above house on rental basis to others.
3. But the tenants utilized the house for the purpose of business for which the department officials levied penalty on 19-12-2011.
4. The tenants at a later date vacated the house.

5. Requested for recategorising the service from LT-II to LT-I besides collecting the penalty money from the tenants, but not from her as she is not involved in the said malpractice.

Notices were served upon the respondents duly enclosing a copy of complaint.

The respondent-2 i.e. the Assistant Engineer/Operation/D-2/Ongole in his written submission dt:14-7-2012, received in this office on dt:29-8-2012 stated that:

1. A malpractice case was booked on SCNo: 4353309023095 in the name of Smt. Pamidi Meena Kumari in D-2 section by the DEP wing as the service was utilized for finance office i.e. commercial purpose where as the service was released for domestic purpose.
2. As per the notices the consumer paid the assessed amount of Rs 8,480/- + Rs.50/- vide PRNo: 308065 dt: 12-1-2012a and remaining amount of Rs 8,580/- vide PRNo: 401148 dt: 6-7-2012 towards final assessment in time.

Findings of the Forum:

1. The grievance of the complainant is that though she is owner of the service, since the beneficiary is the tenant the malpractice amount is to be collected from the tenant instead of her the owner.
2. The complainant mentioned that the tenants without her knowledge established a finance company in her said house which comes under commercial category and she is not aware of the above happenings and requested to collect the amount of malpractice from the tenant being the benificiar.
3. The owner of the service is solely liable for payment of any amounts against the service and hence the request of the complainant is not accepted.
4. The matter was already dealt with in CGNo:371/2011-12 and it was ordered by the Forum that the complainant has to pay the balance amount of assessment Rs 8,480/- lest the service shall be disconnected.

5. Accordingly the complainant paid the amount of Rs 8,580/- being the balance amount towards the malpractice on 6-7-2012 against PRNo: 401148 as reported by the respondent-2 i.e. the AE/Opn/D-2/Ongole.
6. The other point of consideration in the present case is the conversion of the category of the service from commercial to domestic.
7. As could be seen from the account copy of the service, the present category of the service is LT-I i.e. meant for domestic purpose and hence the grievance of the complainant is resolved.

In view of the above, the Forum passed the following order.

ORDER

“No separate order need to be issued”.

Accordingly the case is disallowed and disposed off

If aggrieved by this order, the complainant may represent to the Vidyut Ombudsman, O/o the APERC, 5th floor, Singarenibhavan, Redhills, Hyderabad-500004, within 30 days from the date of receipt of this order.

Signed on this the 31st day of August 2012.

Sd/-
Member (Legal)

Sd/-
Member (C.A)

Sd/-
Member (Accounts)

Sd/-
Chairperson

Forwarded by Orders

Secretary to the Forum

To
The Complainant
The Respondents
Copy submitted to the Honourable Ombudsman, APERC, 5th floor, Singarenibhavan, Redhills, Hyderabad-500004.
Copy to the General Manager/CSC/Corporate office/Tirupati for pursuance in this matter.

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