

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

On this the 28th day of October 2013

In C.G.No:74/ 2013-14/ Vijayawada Circle

Present

Sri K. Paul
Sri A. Venugopal
Sri T. Rajeswara Rao
Sri A. Satish Kumar

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

Between

Sri.K.Subramanyam
DNo:4/301, Near Sankaramatam,
Godugupeta Post
Machilipatnam
Krishna-Dist-521001

Complainant

And

1. Assistant Engineer/Operation/D-1/Machilipatnam
2. Assistant Divisional Engineer/Operation/Machilipatnam
3. Divisional Engineer/Operation/Machilipatnam

Respondents

* * *

Sri.K.Subramanyam , resident of DNo:4/301, Near Sankaramatam, Godugupeta Post, Machilipatnam Krishna-Dist-521001 herein called the complainant, in his complaint dt:17-06-2013 filed in the Forum on dt:17-06-2013 under clause 5 (7) of APERC Regulation 1/2004 read with section 42 (5) of I.E.Act 2003 has stated that

1. He is one among the consumers of Godugupeta with SCNo:6222208051363 of Machilipatnam town.
2. There was an electrical pole in the middle of their site at Godugupeta and has become an obstacle for construction of house in the said site and without removal of the said pole, he can not construct house.
3. Requested to remove the pole and facilitate construction of house in their site.

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

The respondent-2 i.e. the Assistant Divisional Engineer/Operation/ Machilipatnam in his written submission dt: 23-09-2013, received in the Forum on 01-10-2013 stated that:

1. As per the department rules the prospective consumer was not interested to register the application in CSC Intimate with several times.

Findings of the Forum :

The grievance of the complainant is that,

1. There exists an electrical pole amidst his house site at Godugupeta of Machilipatnam town obstructing construction of house in the said site and requested removal of the pole by the licensee.
2. The respondent-2, i.e. the Assistant Divisional Engineer/Operation/ Machilipatnam in his written submission replying to the above stated that, the complainant, though advised several times to get his application registered in his office for the purpose, is not coming forward to do so and not showing any interest in the matter.
3. Here in this case, the said poles were erected long back in vacant place and subsequently due to development of the area, and houses coming up, it has become residential. The person who needs alteration of the lines already existing, shall have to bear the entire cost of the estimate and also to provide necessary way leave to such re-routing at his own cost.
4. In accordance with the clause 5.2.4 of the General Terms and Conditions of Supply, any consumer in whose interest any line or equipment requires shifting from one place to the other the concerned had to bear the expenses towards such shifting charges as per the estimate besides providing necessary way leave for the rerouting of the line as required by the field conditions at his own cost.
5. As such here in this case also, the complainant shall have to pay the necessary charges towards such shifting as per the estimate prepared and communicated by

the respondents, besides providing necessary way leave for the proposed rerouting of the line at his own cost.

6. The complainant has to first approach the ADE concerned and get his application registered for the said shifting of the line duly extending his consent to pay the necessary charges as per the estimate and the way leave and has to pay the said amounts in advance of taking up the works upon which only the said works will be taken up.
7. But herein this case it is reported that the complainant is not showing any interest to register his application for the said work in absence of which the work cannot be taken up and proceeded further.

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

ORDER

The complainant is advised that he may approach the ADE/Opn/Machilipatnam extend his consent and get registered his application for the work if he is interested in. The licensee will not do the work at his own.

Accordingly the case is allowed 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 28th day of October 2013.

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 to the General Manager/ CSC/ Corporate office/ Tirupati for pursuance in this matter.