

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

**On this the 9th day of January 2018
In C. G. No: 80/ 2017-18/Tirupati Circle**

Present

*Sri. A. Jagadeesh Chandra Rao
Sri. A. Sreenivasulu Reddy
Sri. D. Subba Rao
Sri. Dr. R. Surendra Kumar*

*Chairperson
Member (Finance)
Member (Technical)
Independent Member*

Between

Sri. K. Venkateswarulu,
D.No:20-2-566,
Korlagunta,
Tirupati,
Chittoor - Dist

Complainant

AND

1. Assistant Accounts Officer/ERO/ Tirupati -1
2. Assistant Engineer/O/Tirupati Rurals 2
3. Assistant Divisional Engineer/OSD3/Tirupati
4. Divisional Engineer/O/Tirupati

Respondents

ORDER

1. Sri K. Venkateswarulu of Korlagunta ,Tirupati, Chittoor –Dist presented a complaint in person at the Forum Office and the same was registered as C.G.No:80/2017-18/ Tirupati Circle . The complainant in his petition has informed that he has registered land in the name of his son Sri. K.Kishore Kumar at Avilala village bearing Sy.No:467. He has got the registered documents and the property is unassigned one. The said property was registered in his son's name on 23.04.2005 from then onwards the said property is in the custody of his son. Recently on 28.08.2016, one LT service bearing No: 552220208902 was released in his son's plot by the department without his knowledge. Immediately after noticing the above, he has raised objections, but no action was initiated by the department. Finally he has requested to consider his case and do the needful justice.

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DISPATCHED
DATE 18/1/18

2. The Respondents No.1 and 2 submitted their written submissions wherein they have submitted that LT service No: 552220208902 was released in the name of Sri K.Vijay Kumar S/o K. Subbarayaudu on 28.10.2016 in bearing D.No:9-4 in the Avilala village accounts. The said domestic service was released based on the registered documents submitted by Sri. K. Vijay Kumar. Subsequently the complainant raised the objections and also issued a legal notice informing that the title deed submitted by Sri K. Vijay Kumar is a defective one and the absolute title is possessed by his son Sri. K. Kishore Kumar over the property in Sy.No:457 of Avilala village accounts and he has also enclosed copy of the registered sale deeds. On receipt of legal notice they have referred the case to the local board legal council and obtained opinion on 13.03.2017. Based on the legal opinion the said service connection was disconnected on 16.03.2017, the action of the Respondents was challenged before the Hon'ble High Court by K. Vijay Kumar in W.P.10171/17 and in turn the Hon'ble High Court disposed the said writ petition on 27.03.2017 with the direction to restore the power supply to the service connection of K. Vijay Kumar forthwith . Having no other option they have restored the supply to the said service connection of K. Vijay Kumar on 30.03.2017. They further submitted that they have not shown any discrimination and also no delay on their part in entertaining the objections raised by the complainant. Finally the Respondents have prayed to close the case as the same is not maintainable.
3. A personal hearing was conducted on 10.10.2017 for which both the complainant and Respondent were present.
4. Heard both the parties.
5. The Respondents No.1,2 and 3 filed written submissions on 10.11.2017 wherein they have submitted that they have reconnected the service connection under question on 30.03.2017 as per the directions Hon'ble High Court of A.P . The Respondents have also submitted that since there is a civil dispute case with regard to identification of the

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property claimed by both the parties, they have issued notices to both the parties to approach competent civil court for redressal of the grievance and on out coming of court verdict they will take necessary action on the issue. The Respondents further requested to dismiss the case as a dispute regarding land property araised between the two parties.

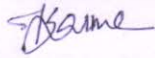
6. On perusal of the averments of the complainant and Respondents it is observed that it is a civil dispute claiming the title of the property by both the parties i.e. complainant and K. Vijay Kumar. The genuineness of the title deed is to be decided by a competent civil court only and the disputes regarding the claiming of the property doesn't fall under the purview of the Forum and hence complaint is liable to be dismissed.
7. In result the case is dismissed.

If aggrieved by this order, the complainant may represent to the **Vidyut Ombudsman, Andhra Pradesh, Flat No:401, 4thFloor, Ashoka Chambers, Opposite to MLA Quarters, Adarsh Nagar, Hyderabad-500063**, within 30 days from the date of receipt of this order.

This order is passed on this, 09th day January 2018.

Sd/- Sd/- Sd/- Sd/-
Member (Finance) **Member(Technical)** **Independent Member** **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.

Copy to the Nodal Officer (Chief General Manager/Operation)/CGRF/APSPDCL/TPT

Copy Submitted to the Vidyut Ombudsman, Andhra Pradesh, Flat No: 401, 4th Floor, Ashoka Chambers, Opposite to MLA Quarters, Adarsh Nagar, Hyderabad-500063.

Copy Submitted to the Secretary, APERC, 11-4-660, 4th Floor, Singareni Bhavan, Red Hills, Lakdikapool, Hyderabad- 500 004.

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