

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

**On this the 11<sup>th</sup> day of June 2018**

**In C. G. No: 44 /2017-18/Vijayawada 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 .P. Ranga Rao ,  
C/o. Kondaiah  
Gopavaram,  
Musunuru,  
Krishna-Dist

Complainant

**AND**

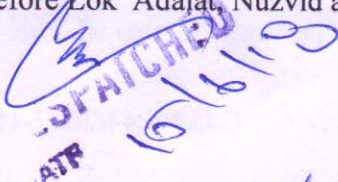
1. Assistant Engineer/O/Musunuru  
2. Assistant Divisional Engineer/O/Nuzvid  
3. Assistant Accounts Officer/ERO/Nuzvid

Respondents

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**ORDER**

1. The case of the Complainant is that his father P. Kondaiah is having AGL service Connection No: 6614405000579 in Sy. No. 233/4 and they are availing the service connection for the last 18 years except for the last 2 years as his bore was dried up. Again he re- dug the bore and when he tried to install a motor to the bore the local electricity department staff objected stating that the service connection was allotted to someone else in a different revenue Sy. No. and he cannot use the connection. Though he approached Respondents. 1 and 2 no action was taken.
2. Respondents filed joint written submissions stating that the service connection is standing in the name of P. Kondaiah. His service was disconnected long back and it was declared as no billing service. During September/October 2015 consumer approached for restoration of his service connection along with certificate issued by MRO about the existence of the bore and paid arrears along with restoration charges. Basing on the above, service was restored to the consumer at his instance and in his presence. Complainant has not brought to the notice of the Department that the transfer was made by impersonation. Complainant has also filed P.L.C. 20/2017 before Lok Adalat, Nuzvid and it is pending.

  
A stamp with the word 'ATTACHED' and a date '16/6/18' is visible over the signature.

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o/c

3. Personal hearing was held at Vijayawada on 27.04.2018. Both parties reiterated their contentions made in the pleadings.
4. The point for determination is whether the service connection of the complainant was shifted to the fields of another person without the knowledge and consent of the Complainant?
5. The copy of the complaint presented to Mandal Legal Service Authority by the complainant against Respondent. No.2 and SE/Operation/Vijayawada shows that complainant approached the District Collector for restoration of service and in response to that complaint SE/O/Vijayawada said to have submitted a letter stating that complainant requested to issue reconnection to service No.579 of Gopavaram (V) at R.S. No.316 of Gopavaram (V). Complainant further stated in the above said complaint that ADE/Nuzvid (Respondent No.2) clandestinely shifted the Service connection bearing Service Connection No 579 of Gopavaram (V) to N. Narayana of Gopavaram (V) which is covered by R.S. No.417/5 and 417/7 of Gopavaram (V). Complainant did not mention in his complaint that his service connection was shifted to another location in the name of another person in the complaint. Complainant at the time of hearing filed Photostat copies of certificates issued by VRO/Gopavaram and Tahsildar / Musunuru. The Photostat copy of certificates issued by VRO dt: 05.05.2017 shows that the land in Sy. No.417-1 to 417-11 is in the name of 11 persons. The Photostat copies of VRO Gopavaram Dt: 01.05.2017 shows that land in RS No.316-1 to 316-5 is in possession of 6 members . These certificates were filed by complainant to show that he is not having land in Sy.No.417 and 316. The certificate issued by Tahsildar Dt : 10.06.2014 shows that P. Ranga Rao S/o. Kondaiah resident of Gopavaram is having 2 acres of land in R.S. No.316 of Gopavaram (V). But according to Complainant he is having land only in R.S. No. 233/4 of Musunuru (V) and he has no other land.
6. The genuineness of the certificate of Tahsildar dt: 10.6.2014 cannot be decided by this Forum. The contention of the Respondents is that service was restored at the instance of the complainant and in his presence. Whereas the contention of the Complainant as per the averments of the complaint in P.L.C. No. 20/2017 is that respondents clandestinely shifted the service connection No.579 to the land in Sy.No.417-5 and 417-7 belongs to N. Narayana. The said Narayana is not a party to these proceedings. The Forum is not competent to issue notice to the said Narayana. The dispute in this case is whether the restoration of Service connection was made only in the location where the service was originally released or under the guise of restoration of service connection and shifted the service connection to the land in a different Sy. No. and that too to another person? So also whether the so called shifting

of service was made at the instance of complainant or it was happened by impersonation? These questions are very complicated and it also involves the recording of the evidence of Revenue personnel and also may require assistance of the surveyor to ascertain where the service connection was actually located. The Forum is not competent to decide complicated questions of facts and Law. Already complainant approached Mandal Legal Service Authority and filed complaint against Respondent No. 2 and SE/O/VJA in P.L.C. 20/2017.

7. The Forum may reject the complaint at any stage under Clause 10.2 (a) of Regulation. 03/2016, where proceedings in respect of the same matter and between the same complainant and the Licensee are pending before any court, tribunal, arbitrator or any other authority. In this case also complainant approached MLSA vide P.L.C. No.20/2017 and the same is pending. Hence the complaint for the same subject matter is not maintainable before this Forum.

8. In view of the above reasons the complaint is dismissed.

If aggrieved by this order, the complainant may represent to the **Vidyut Ombudsman, Andhra Pradesh, and Flat No: 401, 4<sup>th</sup> Floor, 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, the 11<sup>th</sup> day of June 2018.

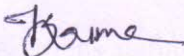
Sd/-  
Member (Finance)

Sd/-  
Member (Technical)

Sd/-  
Independent Member

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.  
Copy to the Nodal Officer(Chief General Manager/Operation)/CGRF/APSPDCL/TPT  
Copy Submitted to the Vidyut Ombudsman, Andhra Pradesh ,Flat No:401 ,4<sup>th</sup> Floor,  
Ashoka Chambers, Opposite to MLA Quarters , Adarsh Nagar,Hyderabad-500063.  
Copy Submitted to the Secretary, APERC,11-4-660, 4<sup>th</sup> Floor, Singareni Bhavan, Red Hills,  
Lakdikapool, Hyderabad- 500 004.

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