

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

**On this the 5th day of December' 2022
C.G.No.68 /2022-23/ Anantapur Circle**

Present

**Sri. K.Rama Mohan Rao
Sri.S.L.Anjani Kumar
Smt.G.Eswaramma**

**Chairperson (I/c) & Member (Finance)
Member (Technical)
Independent Member**

Between

M.Ramanjulu Reddy,
C/o. M/s. Maheswara Minerals,
Now M/s. AVN Minerals,
SY No.104,
Industrial area,
Chukkalur Road,
Rayalcheruvu (V),
Yadiki (M),
Ananthapur Dt.

Complainant

AND

1.Asst.Accounts Officer/ERO/Tadipatri
2.Deputy Executive Engineer/O/Tadipatri
3.Executive Engineer/O/Gooty

Respondents

ORDER

1. The case of the complainant is that he is having service No. vide ISC No.7231430000819 under LT Category-III. He is running the service without any controversy from the date of release of service connection. Suddenly on 26.09.2022 at 7.30 A.M. the SE/O/Anantapur & Executive Engineer/O/Gooty staff AEE/O/Yadiki has disconnected the service on 26.09.2022 at 7.30. A.M. without any prior notice and not revealed any reason for disconnection. He also submitted representation to SE/O/Anantapur and EE/O/Gooty for reconnection of their service. There is no response.Hence requested the forum to take necessary action for reconnection of their service.
2. The case was registered as C.G. No.68/2022-23/Ananthapur Circle and sent to Respondents for written submissions.

3. Joint written submission submitted by the respondents stating that A.P.Pollution Control Board/Zonal Office/ Kurnool issued orders to respondent's company vide **Order No.Gen-17/PCB/ZO/KNL/2022, Dt:22.9.2022 which is as follows:**

“In exercise of power vested with A.P. Pollution Control Board under Section.31 (A) of Air(Prevention & Control of Pollution)Amendment Act, 1987, Southern Power Distribution Company of A.P. Ltd is hereby directed to disconnect the power supply to M/s. AVN Minerals, SY.No.104, at Thutrallapalli (V), Yadiki Mandal, Ananthapur Dt., with immediate effect”

As per instructions of AP-Pollution Control Board Zonal Office,Kurnool, the service connection ofM/s. AVN Minerals (Mr. M.Ramanjulu Reddy, Proprietor of M/s. Maheswara Minerals) SY.No.104 at ChukkaluruRoad, Rayalcheruvu (V), Yadiki Mandal has been disconnected on 25.09.2022 for operating their firms without obtaining CFE/CFO of the Board and without providing required dust control measures and letting out the emissions into the atmosphere.

4. When the Secretary of this forum contacted with the AAO/ERO/Tadipatri over phone @ 12.00.P.M. on 25.11.2022 regarding the said case he has stated that the said service was again re-connected on 23.10.2022 as per the orders of the Hon'ble High Court of A.P. vide W.P.No.32135 of 2022.

The Hon'ble High Court of A.P. accorded permission for a period of two (2) weeks to produce clearance certificate from A.P. Pollution Control Board. The permitted time given by the Hon'ble High Court of A.P expired on 06.11.2022. If the complainant fails to produce the required documents within the stipulated time, the service will be liable for disconnection within 3 days from the date of receipt of the disconnection notice. The AAO/ERO/Tadipatri has stated that the said service was again disconnected on 15.11.2022 due to non-producing of the required documents duly serving the disconnection notice to the complainant on 5.11.2022 (Submitted the notice served to the complainant by EE/O/Gooty and also AEE/O/Yadiki letter addressed to EE/O/Gooty).

5. The Forum noticed that complainant already filed the case in W.P.No.32135 of 2022 on 27.9.2022 and the Hon'ble High Court listed the case on 29.9.2022 and disposed off the case on the same day as mentioned here under:

"The writ petition is disposed of directing the respondent Nos.2 to 4 to furnish the complaint of M/s.Jayalakshmi Minerals, the inspection report and also supporting documents within a period of 10 days from today and after furnishing the same, within a period of one week thereafter, the petitioner herein shall submit explanation to the show-cause notice dated:27.6.2022 and thereafter, the respondent authorities shall inspect the petitioner industry and take appropriate action after issuing advance notice to the petitioner industry and appropriate orders shall be passed within a period of two(02) weeks after giving opportunity to the petitioner"

Complainant concealing the fact of filing of writ petition and issuance of orders against him by the Hon'ble High Court prior to filing of complaint before this forum, he is not entitled to file complaint for the same relief.

In obedience to the orders of Hon'ble High Court, respondents disconnected the service connection. This forum is not empowered to pass orders in favour of complainant.

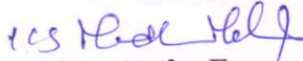
6. In the result the complaint is dismissed. Accordingly C.G.No.68/2022-23 is disposed off.

Sd/-
Member (Technical)

Sd/-
Independent Member

Sd/-
Chairperson (I/c)

Forwarded By Order


Secretary to the Forum

This order is passed on this, the day of 5th December '2022

If aggrieved by this order, the Complainant may represent to the Vidyut Ombudsman, Andhra Pradesh, 3rd Floor, Sri Manjunatha Technical Services, Plot No:38, Adjacent to Kesineni Admin Office, Sri Ramachandra Nagar, Mahanadu Road, Vijayawada-520008, within 30 days from the date of receipt of this order.

To

The Complainant

The Respondents

Copy to the Nodal Officer (Chief General Manager (O&M)/ Operation)/ CGRF/
APSPDCL/ Tirupati.

Copy Submitted to the Vidyut Ombudsman, Andhra Pradesh , 3rd Floor, Sri Manjunatha
Technical Services, Plot No:38, Adjacent to Kesineni Admin Office, Sri Ramachandra
Nagar, Mahanadu Road, Vijayawada-520008.

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