

CONSUMER GRIEVANCES REDRESSAL FORUM
SOUTHERN POWER DISTRIBUTION COMPANY OF A.P LIMITED,
TIRUPATI

This the 06th day of December' 2023

C.G.No.72/2023-24/Tirupati Circle

CHAIRPERSON

Sri. V. Srinivasa Anjaneya Murthy
Former Principal District Judge

Members Present

Sri. K. Ramamohan Rao	Member (Finance)
Sri. S.L. Anjani Kumar	Member (Technical)

Between

Smt.K.Anuradha, D.No. 19-9-5C, Kennedy Nagar, Tirupati, Chittoor District.	Complainant
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AND

1. Dy. Executive Engineer/O/Tirupati CCO	Respondents
2. Executive Engineer O/Tirupati Rural	

This complaint came up for final hearing before this Forum through video conferencing on 01.12.2023 in the presence of the husband of the complainant and respondents and having considered the material placed by both the parties, this Forum passed the following:

ORDER

01. The complainant filed the complaint stating that she is having a bore-well in her agricultural land and she obtained service connection under Category-II in September'2020 vide SC.No.5522311001971 for running a water plant but three months thereafter without issuing any notice to her on the objection of the neighbours, the service

connection was removed and inspite of her repeated requests, the connection was not restored.

02. The said complaint was registered as C.G.No.72/2023-24 and notices were issued to the respondents calling for their response. The respondents submitted their response stating that originally the service connection vide SC.No.5522311001971 under Category -II for a contracted load of 5 KW was released on 13.03.2020 to the complainant but due to non-payment of CC charges the power supply was stopped. Subsequent to the complaint, the respondents conducted field verification and came to know that as the existing service was passing through the lands of the others, the Surpanch of Padipeta removed the line in view of the public complaints and on field verification there is no possibility to erect the poles and running the line without obtaining no objection by the complainant from the lands of the neighbours over which the lines ought to be erected.
03. Heard the husband of the complainant and the respondents through video conferencing.
04. Now the point for determination is:

*“Whether the complaint is maintainable
In view of Clause .No.10.2 (c) of
Regulation No.03 of 2016”?*

05. **Point:** “*Clause 10.2 (c) of Regulation No.3 of 2016 reads as follows:*

10.2: The Forum may reject the complaint at any stage under the following circumstances:

(a) *XXX*

(b) *XXX*

(c) *In cases where the complaint has been submitted beyond two years after the date on which the cause of action has arisen;*

06. According to the complainant, her service connection was issued in September'2020 and there months thereafter it was removed. Hence, it can be assumed that the service connection of the complainant was removed in or about December'2020 or January'2021. Hence, the cause of action for the complaint arose in December'2020 or January'2021. Even January'2021 is taken as the relevant period for the purpose of ascertaining the cause of action since it is beneficial to the complainant/consumer, the complainant should file this complaint in the month of January'2023 and not later than. This complaint was filed before this Forum on 15.11.2023 which is beyond two years period and hence, this complaint is not maintainable in view of Clause .No.10.2 (c) of Regualtion.No.03 of 2016 and hence is liable to be rejected. Accordingly, the point is answered.



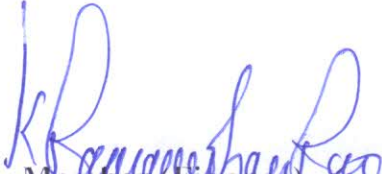
07. **Result:** The complaint is rejected accordingly. There is no order as to costs.

08. The complainant is informed that if she is aggrieved by the order of the Forum, she may approach the Hon'ble Vidyut Ombudsman, 3rd Floor, Plot. No.38, Adjacent to Kesineni Admin Office, Sriramachandra Nagar, Mahanadu Road, Vijayawada-08 in terms of Clause.13 of Regulation.No.3 of 2016 of Hon'ble APERC within 30 days from the date of receipt of this order and the prescribed format is available in the website vidyutombudsman.ap.gov.in.

Typed to dictation by the computer operator-2 corrected and pronounced in the open Forum on this 06th day of December'2023.


CHAIRPERSON

06/12/23


Member (Finance)
06/12/2023


Member (Technical)

Documents marked

For the complainant: Nil
For the respondents: Nil

Copy to the

Complainant and All the Respondents

Copy Submitted to

The Chairman & Managing Director/Corporate Office/APSPDCL/ Tirupati.

The Hon'ble Vidyut Ombudsman, 3rd Floor, Plot No.38, Sriramachandra Nagar, Vijayawada-08.
The Secretary/Hon'ble APERC/Hyderabad-04.
The Stock file.

