

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

This 27th day of January' 2025

C.G.No.249/2024-25/Nandyal 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

Sri. S. Mohammed Khizar, D. No. 25/419-2 D-1,
Priyanka Nagar, Nandyal Town & Mandal & District. **Complainant**

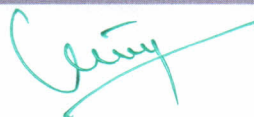
AND

1. Superintending Engineer/O/Nandyal
2. Dy. Executive Engineer/O/Nandyal
3. Executive Engineer/O/Nandyal **Respondents**

This complaint came up for final hearing before this Forum through video conferencing on 21.01.2025 in the presence 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 he purchased an agricultural Patta land of an extent of Ac.1.17 Cts in Sy.No.383/3 of Udumalpuram (V) under a registered sale deed dated 30.11.2020, that he converted the said land into residential land, that the respondents horizontally laid four 33 KV feeder lines through the



middle of the land and as such the land is not useful for residential purpose and he requested the respondents to remove the 33 KV feeder lines but they asked him to bear the shifting charges though he is not liable to pay the same.

02. The said complaint was registered as C.G.No.249/2024-25 and notices were issued to the respondents calling for their response. The respondents submitted their response stating that three No. of 33 KV lines are erected in the said land about 40 years back and one 33 KV line was erected 22 years back with the oral consent of the then landlord, that the complainant purchased the land knowing fully well about the existence of the Four No of 33 KV lines in the land, that the complainant has to apply and pay the estimated charges for shifting the lines.
03. Heard the complainant and respondents through video conferencing.

Now the point for determination is :

“Whether the complainant has to pay charges as estimated by the respondents for shifting of four 33 KV lines from his fields or not”?

04. Admittedly, the four 33 KV lines are in existence in the land purchased by the complainant even prior to purchase of his land and the said lines are feeder lines which feeds Bandi Atmakur (M),

Gadivemula (M), D3 and D1 Section, Nandyal respectively. Out of the said four 33 KV lines, Three Lines were erected about 40 years back and One Line was erected about 22 years back and this version of the respondents is not in dispute. It seems that the vendor of the complainant never objected erection of the said four 33 KV lines and knowing fully well about the existence of the said Electric Lines, the complainant purchased the land.

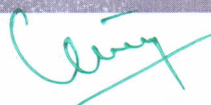
05. In the case of *Deba Prasad Das Vs. West Bengal State Electricity Distribution Company LTD & Ors in FMA 102 of 2017 with CAN 01 of 2017 Dt: 20.01.2022 the Hon'ble Calcutta High Court held that "When no objection was raised by the land owner at the time of erection of electric line in his private property, if the landlord wants shifting of electric lines, he has to pay the shifting charges".*

In the case on hand nothing on record to show that neither the complainant nor his vendor raised any objection about existence of said four 33 KV electric lines over their land which were erected and installed about 40 years and 22 years back respectively.

06. Having regard to the said fact and in the absence of any objection or litigation, we have sufficient reason to believe that at least 40 years and 22 years back when the aforesaid 33 KV lines were erected in the land of the complainant, they were erected and installed in

accordance with law, in order to distribute electricity to the villagers.

07. Having regard to the facts and circumstances of the case, we have no hesitation to hold that the complainant is under the obligation to apply for shifting of the four 33 KV electric lines in his land and to pay the estimated shifting charges as demanded by the respondents as per the rules in vogue. Accordingly, the point is answered.
08. *In the result*, the complaint is dismissed. The complainant is directed to register an application at mee-seva and pay the shifting charges as demanded by the respondents and then the respondents are directed to shift the lines.
09. Accordingly, the complaint is disposed off directing the complainant to apply for shifting of the lines on which the respondents shall prepare estimations and issue demand notice to the complainant and on payment of the shifting charges, the respondents shall take steps for shifting of the four No. of 33 KV lines without any delay following the SOP Norms in vogue.
10. The complainant is informed that if he is aggrieved by the order of the Forum, he may approach the 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 27th day of January'2025.


CHAIRPERSON

27/01/2025


Member (Finance)
27/01/2025


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 Vidyut Ombudsman, 3rd Floor, Plot No.38, Sriramachandra
Nagar, Vijayawada-08.

The Secretary/Hon'ble APERC/Vidyut Niyantana Bhavan, Adjacent
to 220/132/33/11 KV AP Carbides Sub Station, Dinnedavarapadu
Road, Kurnool-518002, State of Andhra Pradesh.

The Stock file.


27/01/2025