

**CONSUMER GRIEVANCES REDRESSALFORUM**  
**SOUTHERN POWER DISTRIBUTION COMPANY OF A.P LIMITED,**  
**TIRUPATI**

**This 07<sup>th</sup> day of August' 2024**

**C.G.No.14/2024-25/Nellore Circle**

**CHAIRPERSON**

**Sri. V. Srinivasa Anjaneya Murthy**  
**Former Principal District Judge**

**Members Present**

<b>Sri. K. Ramamohan Rao</b>	<b>Member (Finance)</b>
<b>Sri. S.L. Anjani Kumar</b>	<b>Member (Technical)</b>
<b>Smt. G. Eswaramma</b>	<b>Member (Independent)</b>

***Between***

Smt. N. Rama, D. No. 7-3-11,  
Degapudivari Street, Kovur (M),  
Nellore District.

Complainant

***AND***

1. Dy. Executive Engineer/O/Kovur
2. Executive Engineer/O/Kovur

Respondents

This complaint came up for final hearing before this Forum through video conferencing on 05.08.2024 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 she paid necessary charges for shifting of electric pole which was erected in her compound wall but the respondents did not initiate any action.

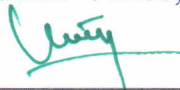


02. The said complaint was registered as C.G.No.14/2024-25 and notices were issued to the respondents calling for their response. The respondents submitted their response stating that the complainant constructed compound wall to her house covering the existing electric pole and later paid shifting charges for shifting of the electric pole but at the time of execution of the work the neighbours raised objection stating that the complainant encroached the road site and constructed the compound wall and as such the pole could not be shifted. The respondents also submitted that there are court cases relating to the issue and submitted copies of the same.
03. Heard both the parties through video conferencing. We have gone through the entire record. It seems that one H. Hazarath Reddy filed Writ Petition W.P.No.5020 of 2023 before the Hon'ble A.P. High Court alleging that the complainant herein encroached the road site and the same was disposed off on 01.03.2023 directing the Panchayat authorities to ascertain whether the complainant encroached the road site or not and to take appropriate action on which the Mandal surveyor conducted survey of the site of the complainant and submitted report to the District Panchayat officer stating that the existing current pole situated within the premises of the complainant. However, a copy of the notice issued by the Hon'ble A.P. High Court in contempt case No.6518 of 2023 filed by



K. Hazarath Reddy against the Panchayat officials shows that some contempt proceedings are initiated in W.P. No.5020 of 2023 against the Panchayat officials with regard to the issue of the site relating to the complainant and the same is pending. The complainant during the enquiry admitted the pendency of contempt case No.6518 of 2023 in respect of alleged disobedience of the orders in W.P.No.5020 of 2023 relating to her site issue are pending. From this it is very clear that dispute is pending with regard to ownership of the site in which the electric pole is located and the compound wall is constructed by the complainant and also court cases are pending with regard to the said issue. Considering the circumstances, this Forum feel that the respondents cannot be directed to shift the electric pole till the ownership of the site in which the electric pole is situated, is legally established by the complainant through a competent court of law. Hence, this complaint is not maintainable and is liable to be dismissed.

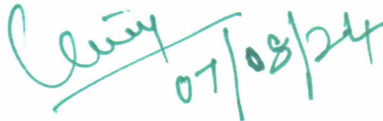
04. ***In the result***, the complaint is dismissed. There is no order as to costs.
05. The complainant is informed that if she is aggrieved by the order of the Forum, she may approach the Vidyut Ombudsman, 3<sup>rd</sup> Floor, Plot. No.38, Adjacent to Kesineni Admin Office, Sriramachandra Nagar,

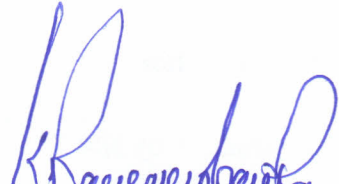





Mahanadu Road, Vijayawada-08 in terms of Clause.13 of Regulation.No.3 of 2016 of Hon'ble APERC within 30 days from the date of receipt of this order and the prescribed format is available in the website vidyutombudsman.ap.gov.in.

Typed to dictation by the computer operator-2 corrected and pronounced in the open Forum on this 07<sup>th</sup> day of August'2024.

  
CHAIRPERSON

  
Member (Finance)  
07/08/2024

  
Member (Technical)

  
Member (Independent) 7/8/2024

**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, 3<sup>rd</sup> Floor, Plot**

**No.38, Sriramachandra Nagar, Vijayawada-08.**

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

**The Stock file.**

  
07/08/24