



BEFORE THE VIDYUT OMBUDSMAN FOR THE STATE OF TELANGANA

First Floor 33/11 kV Substation, Beside Hyderabad Boat Club
Lumbini Park, Hyderabad - 500 063

**PRESENT : SRI MOHAMMAD NIZAMUDDIN
VIDYUT OMBUDSMAN**

WEDNESDAY THE THIRTEENTH DAY OF AUGUST
TWO THOUSAND AND TWENTY FIVE

Appeal No. 16 of 2025-26

Between

Sri Harshith Agarwal, s/o. Sri Radhakishan Agarwal, aged about 37 years
Sy.No.460/U, Alair, Bhongir District.

..... Appellant

AND

1. The Assistant Engineer/Operation/Alair/TGSPDCL/Yadadri District.
2. The Assistant Divisional Engineer/Operation/Alair/TGSPDCL/Yadadri District.
3. The Assistant Accounts Officer/ERO/Alair/TGSPDCL/Yadadri District.
4. The Divisional Engineer/Operation/Bhongir/TGSPDCL/Yadadri District.
5. The Superintending Engineer/OP/Yadadri/TGSPDCL/Yadadri District.

.....Respondents

This appeal is coming on before me for final hearing on 12.08.2025 in the presence of Sri Ravinder Prasad Srivastava - authorised representative of the appellant and Sri M. Venkatesh - AE/OP/Alair, Sri T. Raja Shekar - ADE/OP/Alair and Sri K. Vinod Kumar - AAO/ERO/Alair for the respondents and having stood over for consideration, this Vidyut Ombudsman passed the following:-

AWARD

This appeal is preferred aggrieved by the return of online complaint on 03.07.2025 filed vide registration No. CRT No.04/2025-26 registered on 10.06.2025 by the Consumer Grievances Redressal Forum - I (Rural) (in short 'the Forum') of Telangana State Southern

Power Distribution Company Limited (in short 'TGSPDCL').

CASE OF THE APPELLANT BEFORE THE FORUM

2. The case of the appellant before the learned Forum is that the respondents have released agriculture Service Connection Nos.5561001281, 5561001282 and 5561001283 at Sy.No.460/U, Sharajipet, Alair Bhongir District in the name of one Shyam Sunder Agarwal. The appellant-Harshit Agarwal purchased the agriculture land measuring Ac.0-22 guntas out of the above said land under a registered sale deed bearing document No. 1475 of 2021 on 23.07.2021. Thereafter the appellant has paid the arrears of Rs.550/-, in all, as in December 2024 to the respondents. Since the three Service Connections were disconnected earlier, the appellant prayed to restore power supply to the said Service Connections, but in vain. Thereafter the appellant filed a complaint before the learned Forum in C.G.No.284/2024-25, Yadadri Circle for restoration of three subject Service Connections.

3. The appellant thereafter filed an online application on 26.05.2025 for transfer of title of Service Connection No.5561001281 (in short 'the subject Service Connection'). The online service of title transfer is blocked by the respondents on the ground that the said service is under billstop status. Subsequently the appellant filed an application manually before respondent No.5 on 26.05.2025 for transfer of title by remitting a fee of Rs.59/- which was acknowledged on 27.05.2025. But no title transfer of the subject Service Connection was effected. It was accordingly prayed to direct the respondents to

transfer title of the Service Connection No. 5561001281 and also to direct the respondents to award compensation @ Rs.200/- per day for the delay caused from 03.06.2025 till the title transfer is effected. The learned Forum has rejected the said complaint on 07.03.2025, without hearing the appellant.

4. Since the complaint itself was returned there was no scope for filing written replies by the respondents.

AWARD OF THE FORUM

5. The learned Forum simply returned the complaint without hearing the complainant.

6. Aggrieved by the return order passed by the learned Forum, the present appeal is preferred reiterating the contents of the complaint filed before the learned Forum. It was accordingly prayed to set aside the return order of the complaint dt.03.07.2025, direct the respondents to transfer title of the Service Connection No. 5561001281 and also to direct the respondents to pay compensation @ Rs.200/- per day for the delay caused from 03.06.2025 till the title transfer is effected.

WRITTEN SUBMISSION OF THE RESPONDENTS

7. In the written reply filed by respondent No.3 before this Authority, it is, inter-alia, submitted that the present case relates to M/s. Sheetal Shipping and Metal Processor Ltd., Three agricultural Service Connection Nos.

5561001281, 5561001282 and 5561001283 were in the name of one Sri Shyam Sunder Agarwal. The above said firm owes an amount of Rs.3,18,06,365/- to the respondents as on 31.12.2024. In order to avoid payment of the said amount the consumer alienated Ac.0.22 guntas of land in Sy.No.460/U in Sharajipet Village of Alair Mandal in favour of the appellant. Sri Shyam Sunder Agarwal is Director of M/s. Sheetal Shipping Company. One Sri Radha Krishna Agarwal is the Managing Director of the said company. They are brothers. The three agriculture services mentioned above are under 'billstop' status. The prescribed procedure was not followed for change of title of the subject Service Connection. The appellant has also filed W.P.No.11128 of 2025 against the respondents before the Hon'ble High Court, which is pending.

ARGUMENTS

8. It is submitted on behalf of the appellant that the appellant is nothing to do with M/s. Sheetal Shipping Company and he is a bonafide purchaser of Ac.0.22 guntas of land which is away from Sheetal Shipping Company; that the learned Forum did not give an opportunity to the appellant to represent his matter; that the arrears on the subject Service Connection were cleared by the appellant and hence it is prayed to direct the respondents to effect the title of the subject Service Connection in the name of the appellant. It is also prayed to direct the respondents to restore power supply to the subject Service Connection and also to direct the respondents to pay compensation of Rs.200/-

per day w.e.f., 03.06.2025 till the date of title transfer for the delay caused by setting aside the impugned return order.

9. On the other hand, the respondents, while supporting the return order passed by the learned Forum, have prayed to reject the appeal on the ground that a huge amount of more than (3) crores of rupees is due from M/s. Sheetal Shipping Company to which one Radha Kishan Agarwal, father of the appellant is the Managing Director and the vendor of the appellant, namely, Shyam Sunder Agarwal is the Director of the said company and the subject Service Connection is the link service.

POINTS

10. The points that arise for consideration are:-

- i) Whether the appellant is entitled for mutation of title of the subject Service Connection in his favour as prayed for?
- ii) Whether the appellant is entitled for compensation @ Rs.200/- per day from 03.06.2025 till the date of giving title transfer as prayed for?
- iii) Whether the order returning the complaint is liable to be set aside?
and
- iv) To what relief?

POINT Nos. (i) to (iii)

ADMITTED FACTS

11. It is an admitted fact that the respondents have released the three Service Connections including the subject Service Connection for agriculture purpose to Sri Shyam Sunder Agarwal at Sharajipet Village. It is also an

admitted fact that at present the power supply to the said Service Connections is disconnected.

SETTLEMENT BY MUTUAL AGREEMENT

12. Both the parties have appeared before this Authority on different dates virtually and physically. Efforts were made to reach a settlement between the parties through the process of conciliation and mediation. However, no settlement could be reached. The hearing, therefore, continued to provide reasonable opportunity to both the parties to put-forth their case and they were heard.

REASONS FOR DELAY IN DISPOSING OF THE APPEAL

13. The present appeal was filed on 09.07.2025. This appeal is being disposed of within the period of (60) days as required.

CRUX OF THE MATTER

14. The appellant claims that he is consumer of the respondents in respect of the subject Service Connections and he has paid the arrears after he purchased the land where the subject Service Connection was installed and as such he is entitled for change of title and for restoration of power supply. He has relied upon Clause 7.2 of Schedule-I of Regulation 5 of 2016 of Hon'ble Telangana Electricity Regulatory Commission (in short 'the Commission'). The said Clause reads as under:-

“The Licensee shall restore the power supply to a consumer, whose supply has been disconnected due to non-payment of electricity bills, within four(4) working hours of receipt of production of proof of payment by the consumer in towns and cities, and within Twelve(12) working hours of production of proof of payment by the consumer in rural areas.”

On the other hand, the respondents claimed that, in fact, a sum of Rs.3.5 Cr is pending towards utility charges payable by M/s. Sheetal Shipping and Metal Processors Ltd., and in the land of the said company, the subject Service Connection is released and hence, the subject Service Connection is link service.

15. Under Clause 7.2 of the above said Regulation relied on by the appellant the word ‘consumer’ is mentioned. Basing on this word the authorised representative of the appellant has argued that the appellant is the consumer of the respondents. The learned authorised representative of the appellant has also referred Sec.2(15) of the Electricity Act 2003 wherein the ‘consumer’ is defined.

16. The appellant Sri Harshith Agarwal s/o. Sri Radha Krishna Agarwal preferred the appeal to direct the respondents for title transfer in his name for the Service Connection No. 5561001281 immediately. The subject premises in Sy.No.460/U, Sharajipet (v) Alair Mandal, Bhongiri District is having three agriculture services in the name of Sri Shyam Sunder Agarwal. The appellant purchased the agriculture land measuring Ac.0.22 guntas in Sy.No.460/U, Alair Mandal from the owner of the land Sri Shyam Sunder Agarwal vide registered

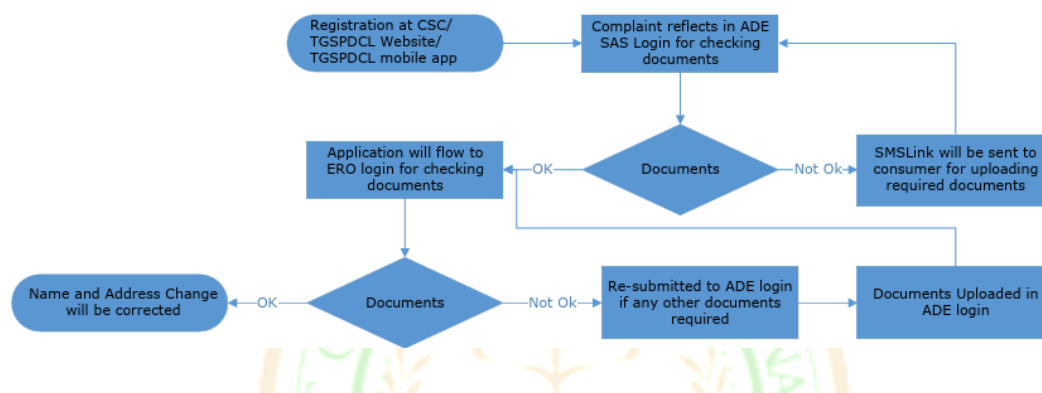
sale deed No.1475 of 2021 dt.23.07.2021 which consists of three agriculture services viz., 5561001281, 5561001282, 5561001283. By virtue of the sale deed he has requested for title transfer for agriculture service connection No.5561001281 from Sri Shyam Sunder Agarwal. In this regard he has applied before SE/OP/Yadadri by way of manual application enclosing required documents and fee of Rs.59/- which was acknowledged on 27.05.2025. The request was forwarded to respondent No.1.

17. At the cost of repetition, respondent No.1 has admitted that the agriculture land measuring Ac.0.22 guntas in Sy.No.460/U in Sharajipet Village, Alair Mandal is having three Nos. agriculture services Viz., 5561001281, 5561001282, 5561001283. The said services are under billstop. It was stated that the request of the appellant for title transfer was denied by the respondents for the following reasons:-

- a. Sri Shyam Sunder Agarwal s/o. Sri Satyanarayana Agarwal is having (3) Nos. Agriculture Service Connections is related to M/s. Sheetal Shipping and Metal Processors Ltd., as Director which owes electricity dues for an amount of Rs.3,18,06,365/- as on 31.12.2024 to the TGSPDCL.
- b. Sri Shyam Sunder Agarwal is the Director and Sri Radha Krishna Agarwal is the Managing Director of M/s. Sheetal Shipping and Metal Processors Ltd., and both of them are brothers.
- c. The payment of dues of the said firm lies within the family as stated above to avoid the payment the appellant is seeking title transfer and restoration of supply to the subject 3 Nos. Agriculture services.
- d. The appellant did not follow the prescribed procedure for getting the title transfer instead he approached the SE/OP/Yadadri, subsequently his application was forwarded to DE/OP/Bhongir, ADE/OP/Alair and finally to AE/OP/Alair.
- e. W.P.No.11128 of 2025 filed by the M/s. Sheetal Shipping and Metal Processors against TGSPDCL is pending in the Hon'ble High Court.

18. The dispute is in respect of title transfer of agriculture service connection No.5561001281 from Shyam Sunder Agarwal to Harshith Agarwal. The procedure involved towards title transfer as provided in the website of the TGSPDCL is placed below:-

Name change and address correction



Documents to be collected from consumers for Title Transfer/Name Change:

- ID proof of the applicant with self attestation.
- Indemnity bond in a prescribed format on a Non-Judicial stamp paper worth Rs.100/- **with photo of the applicant.**
- Self attested Copy of registered sale deed (or) partnership deed (or) will deed (or) any other registered ownership document in the name of present applicant.
 - ❖ Condition 1: In case of a Company, Memorandum of Understanding & Articles of Association/ Partnership deed along with Company authorization letter to the applicant is to be uploaded additionally.
 - ❖ Condition 2: In case of Joint ownership of the property (or) partnership in the Company, No-Objection Consent (NOC) in a prescribed format on a Non-judicial stamp paper worth Rs.10/- is to be uploaded additionally.
 - ❖ Condition 3: In case of transfer to any legal heir is required, self attested copies of death certificate of previous owner and legal heir certificate are to be uploaded.
- Payment mode as per the prevailing rates of application fee inclusive of GST through online/DDs/payment receipt at ERO counters/QR code at ICSCs/CSCs.

Title Transfer Application fees:

LT Cat-I Domestic	-	Rs. 29.50/- (Rs. 25/- + 18% GST)
LT Cat-II Non-Domestic/Commercial	-	Rs. 59/- (Rs. 50/- + 18% GST)

Instead of following the above given provisions towards registration at Customer Service Center the consumer preferred to apply at the office of SE/OP/Yadadri.

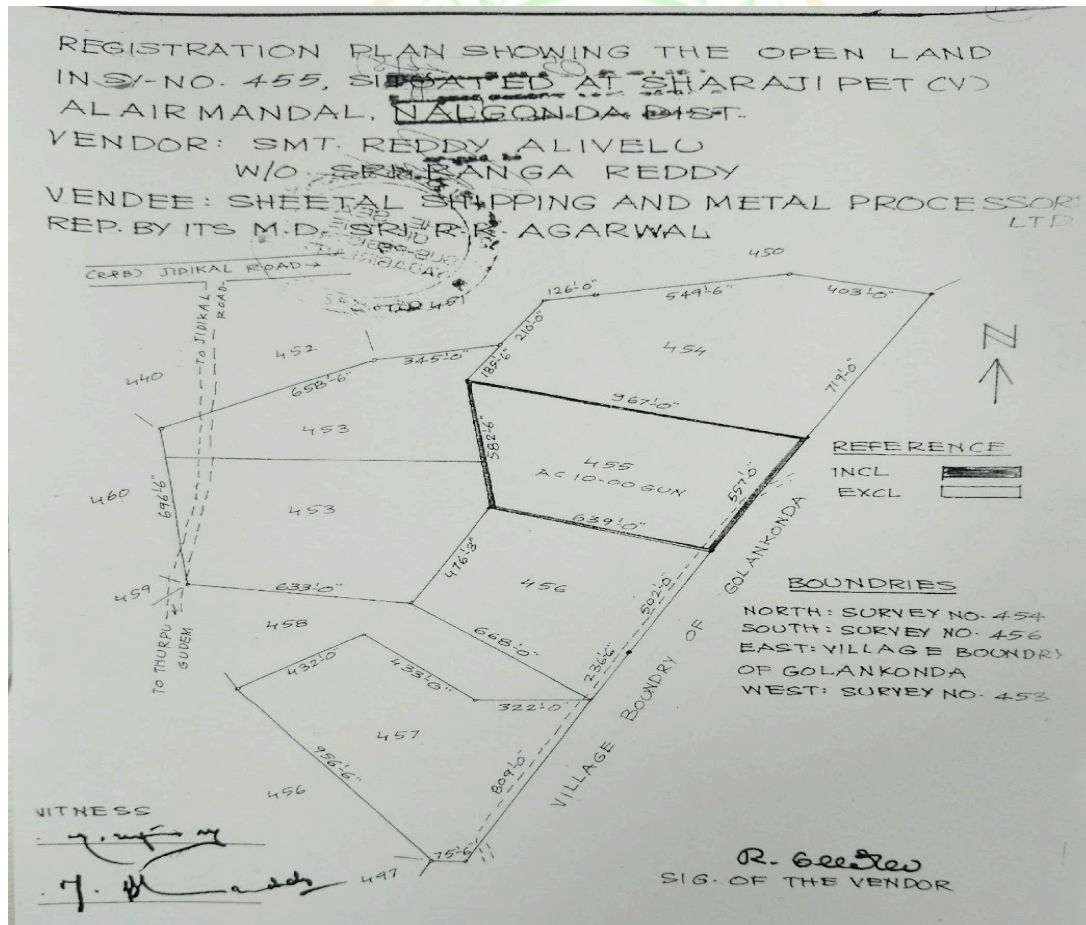
LINK SERVICE

19. Whether the outstanding dues of Rs.3,18,06,365/- payable by M/s. Sheetal Shipping and Metal Processors Ltd., under Service Connection No. YDD-557 is connected with the (3) Nos. agriculture services including subject Service Connection for which title transfer was requested. The respondents claim that the address of both the above given services i.e., of the firm and the agriculture service are same. To that extent submitted (4) Nos. Encumbrance Certificates of the area involving Sy.No.453 and the (4) Nos. Encumbrance Certificates of the area involving Sy.No.457. It is pertinent here to note the premises address of both the services, as under:-

Name of the Consumer and Service Connection No.	Address														
Sri Harshith Agarwal 5561001281,5561001282, 5561001283	Sy.No.460/U, Sharajipet Village, Alair Mandal, Yadadri District 0.22 Guntas														
M/s. Sheetal Shipping and Metal Processors Ltd., YDD-557	Sy.No.456, Sharajipet Village, Alair Mandal, Yadadri District Ac 2.30 Guntas														
As per the Encumbrance Certificate submitted by the respondents M/s. Sheetal Shipping and Metal Processors Ltd.,	<table> <tr> <td>Sy.No.453/3/1/2</td><td>Ac 7.06</td></tr> <tr> <td>Sy.No.453/3/1</td><td>Ac 14.1200</td></tr> <tr> <td>Sy.No. 453/3</td><td>Ac 17.35</td></tr> <tr> <td>Sy.No. 453/3/2</td><td>Ac 3.23</td></tr> <tr> <td>Sy.No.453/1/1/1</td><td>Ac 3.23</td></tr> <tr> <td>Sy.No. 453/1/1/1</td><td>Ac 7.06</td></tr> <tr> <td>Sy.No. 453/3/1/1/2</td><td>Ac 3.23</td></tr> </table>	Sy.No.453/3/1/2	Ac 7.06	Sy.No.453/3/1	Ac 14.1200	Sy.No. 453/3	Ac 17.35	Sy.No. 453/3/2	Ac 3.23	Sy.No.453/1/1/1	Ac 3.23	Sy.No. 453/1/1/1	Ac 7.06	Sy.No. 453/3/1/1/2	Ac 3.23
Sy.No.453/3/1/2	Ac 7.06														
Sy.No.453/3/1	Ac 14.1200														
Sy.No. 453/3	Ac 17.35														
Sy.No. 453/3/2	Ac 3.23														
Sy.No.453/1/1/1	Ac 3.23														
Sy.No. 453/1/1/1	Ac 7.06														
Sy.No. 453/3/1/1/2	Ac 3.23														

As per the Encumbrance Certificate submitted by the respondents	Sy.No. 457/2	Ac. 2.05
	Sy.No. 457	Ac 11.0100
	Sy.No. 457/1/1/1/1	Ac 0.1200
	Sy.No.457/1/1/1	Ac 2.1800
	Sy.No. 457/1/1	Ac 4.2400
	Sy.No. 457/1	Ac 8.3600
	Sy.No. 457	Ac 11.0100
	Sy.No. 457/1/1/1/2	Ac 2.0600
	Sy.No. 457/1/1/1	Ac 2.1800
	Sy.No. 457/1/1	Ac 4.2400
	Sy.No. 457/1	Ac 8.3600
	Sy.No.457/1/12	Ac 4.1200
M/s. Sheetal Shipping and Metal Processors Ltd.,		

The map provided by the respondents annexed to the registered sale deed dt.21.12.2005 is as under:-



20. It is apparent that both addresses of the M/s. Sheetal Shipping and Metal Processors Ltd., YDD-557 and Sri Shyam Sunder Agarwal (3) Nos. Agriculture services are different as seen from table-A and the registration plan of the land in the survey No 453, 455 and 457 of M/s. Sheetal Shipping and Metal Processors Ltd., The claim of the respondents is that Sy.No.455 and 453 (M/s. Sheetal Shipping and Metal Processors Ltd.,) are abutting the Sy.No.460/U (agriculture services) and hence the whole land covering survey No 460, 453 and 455 are one and the same. The respondents failed to explain how the land pertaining to M/s Sheetal Shipping abutting the Sy.No.460 having agriculture services are inter-linked to the agriculture services. Hence, the outstanding amount pending against the SC No.YDD-557 is not connected with the three agriculture Services. That apart, though now the respondents claim that the subject Service Connection is link service to M/s. Sheetal Shipping and Metal Processors Ltd., no iota of evidence like issuing notice in this regard is exhibited before this Authority. No doubt, as rightly submitted by the respondents, the boundaries are contradictory to each other in the sale deed of the appellant and the sale deed of his vendor and not coinciding with each other. Both the documents are of the same Sy.No. 460/U with land measuring Ac.2.30 guntas and Ac.0.22 guntas. However this Authority will not decide the genuinity of these documents.

W.P.No.11128 of 2025

21. The W.P.No.11128 of 2025 is filed by M/s. Sheetal Shipping and Metal Processors Ltd., against the respondents, the State of Telangana and others is pending. The said petition is in respect of restoration of HT Service Connection No. YDD-557 in the name of M/s. Sheetal Shipping and Metal Processors Ltd., and in respect of the claim of tariff rate difference of voltage level of 33 kV and 11 kV. The petition is not at all connected with the (3) Nos. agriculture services involved in the present case.

22. In the copy of sale deed dt.21.12.2005 filed by the respondents it is shown that the land in Sy.No. 455 measuring Ac.10.00 guntas was purchased in the name of M/s. Sheetal Shipping and Metal Processors Ltd., company. Whereas in the copy of sale deed dt.23.07.2021 under which the appellant purchased Ac.0.20 guntas of land is from one Mr. Shyam Sunder Agarwal. The said Shyam Sunder Agarwal purchased Ac.2.30 1/2 guntas of land in his name, but not in the name of M/s. Sheetal Shipping and Metal Processors Ltd., Thus, prima-facie, there is no nexus between M/s. Sheetal Shipping and Metal Processors Ltd., and the land now purchased by the appellant. On mere surmises, the respondents cannot deny the mutation of title of the subject Service Connection in the name of the appellant. In view of the circumstances stated supra, the appellant is entitled for title transfer since both the premises of (3) no's agricultural services and M/s. Sheetal Shipping and Metal Processors Ltd., are not the same and are not inter-linked. The appellant has to apply for

the title transfer as per the procedure laid down, provided in the website of the TGSPDCL. Subject to regularisation of agriculture services, initially the appellant has to place a request towards the regularization of the OSL Agricultural services and the respondents shall take further necessary action towards the regularization assuring that no dues are pending against the agriculture services. After the regularization of the services the appellant may apply for the title transfer after the application made by the appellant in the Customer Service Center (CSC). The respondents shall take further necessary action accordingly.

COMPENSATION

23. In spite of the fact that the appellant is entitled for the title transfer which is subject to the procedures laid down by the respondents, which was not adhered to by the appellant, there is no reason to award compensation in the said case, due to procedural lapse. For these reasons, the question of claiming compensation from the respondents does not arise.

RETURN OF COMPLAINT BY CGRF

24. In the present case, it is necessary to refer to Clause 2.37(b) of the Regulation, which reads as under:-

“The Forum may reject the grievance at any stage under the following circumstances:-

- a. Where proceedings in respect of the same matter or issue between the same Complainant and the Licensee are pending before any Court, Tribunal, Arbitrator or any other Authority, or a decree or award or a final order has already

been passed by any such court, tribunal, arbitrator or authority as the case may be;

- b. Where cases fall under Sections 126,127,135 to 139,152 and 161 of the Act;
- c. Where the grievance has been submitted two years after the date on which the cause of action arose or ceases to continue, whichever is later.
- d. In the cases, where grievances are:
 - Frivolous, vexatious, malafide;
 - without any sufficient cause; or
 - Where there is no prima facie loss or damage or inconvenience caused or to be caused to the Complainant or the consumers who are represented by an association or group of consumers.

Provided that no grievance shall be rejected in writing unless the Complainant or Association of persons has been given an opportunity of being heard.”

The learned Forum has erred in not following the principles of natural justice. The proviso to Clause 2.37 (d) of the Regulation it is necessary to give an opportunity to the consumer before rejecting the complaint. It was not done in this case. The learned Forum ought to have followed the proviso referred to above. In view of the above, I hold that the appellant is entitled for mutation of title of the subject Service Connection as prayed for subject to regularisation of service and the appellant is not entitled for compensation @ Rs.200/- per day from 03.06.2025 till the date of giving title transfer as prayed for and the impugned order returning the complaint by the learned Forum is liable to be set aside. These points are accordingly decided partly in favour of the appellant and partly in favour of the respondents.

POINT No. (iv)

25. In view of the findings on point Nos. (i) to (iii), the appeal is liable to be allowed in part.

RESULT

26. In the result, the appeal is allowed in part. The appellant is directed to apply for the title transfer as per the procedure laid down, provided in the website of the TGSPDCL. Subject to regularisation of agriculture services, initially the appellant has to place a request towards the regularization of the OSL Agricultural services and the respondents shall take further necessary action towards the regularization assuring that no dues are pending against the agriculture services. After the regularization of the services the appellant may apply for the title transfer after the application made by the appellant in the Customer Service Center (CSC). The respondents shall take further necessary action accordingly. The appeal is rejected in respect of claim of compensation.

A copy of this Award is made available at <https://vidyutombudsman-tserc.gov.in>.

Typed to my dictation by Office Executive cum Computer Operator, corrected and pronounced by me on the 13th day of August 2025.

**Sd/-
Vidyut Ombudsman**

1. Sri Harshith Agarwal, s/o. Sri Radhakishan Agarwal, aged about 37 years
Sy.No.460/U, Alair, Bhongir District. Cell:98491 67902.
2. The Assistant Engineer/Operation/Alair/TGSPDCL/Yadadri District.
3. The Assistant Divisional Engineer/Operation/Alair/TGSPDCL/Yadadri District.
4. The Assistant Accounts Officer/ERO/Alair/TGSPDCL/Yadadri District.
5. The Divisional Engineer/Operation/Bhongir/TGSPDCL/Yadadri District.
6. The Superintending Engineer/OP/Yadadri/TGSPDCL/Yadadri District..

Copy to

7. The Chairperson, Consumer Grievances Redressal Forum of TSSPDCL-
Rural, H.No.8-03-167/14, GTS Colony, Yousufguda, Hyderabad.

