



BEFORE THE VIDUYUT 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
VIDUYUT OMBUDSMAN**

WEDNESDAY THE SEVENTH DAY OF AUGUST
TWO THOUSAND AND TWENTY FOUR

Appeal No. 17 of 2024-25

Between

Sri Zameer Sharief, s/o. Javeed Sharief, #10-1-892/3, A.C.Guards,
Khairatabad, Hyderabad - 500 004. Cell:9398056490.

.....Appellant

AND

1. The Assistant Engineer/Operation/Anand Nagar/TGSPDCL/Hyderabad.
2. The Assistant Divisional Engineer /Operation / Saifabad / TGSPDCL / Hyderabad.
3. The Assistant Accounts Officer/ERO/Mint Compound / TGSPDCL / Hyderabad.
4. The Divisional Engineer/Operation/Saifabad/TGSPDCL/Hyderabad.
5. The Superintending Engineer/Operation/Hyderabad Central Circle / TGSPDCL/Hyderabad.

..... Respondents

This appeal is coming on before me for final hearing today in the presence of Sri Zameer Shareefl - appellant in person and Sri G. Venkateshwarlu - AE/OP/Anand Nagar, Sri M. Srinivas Rao - ADE/OP/Saifabad and Smt. P. Sunitha - AAO/ERO/Mint Compound for the respondents and having stood over for consideration till this day, this Viduyut Ombudsman passed the following:-

AWARD

This appeal is preferred aggrieved by the Award passed by the Consumer Grievances Redressal Forum - II (Greater Hyderabad Area), (in short 'the Forum') of Telangana State Southern Power Distribution Company Limited (in short 'TGSPDCL') in C.G.No.19/2024-25/Hyderabad Central Circle dt.02.07.2024, rejecting the complaint.

CASE OF THE APPELLANT BEFORE THE FORUM

2. The case of the appellant is that he applied for release of two LT Service Connections and the respondents have released them vide Service Connection No. A8010289 and A8010290 on 23.04.2024. The appellant applied for the said new Service Connections earlier on 08.08.2017 and submitted notarised agreement of sale in respect of his house at that time, apart from other documents. He purchased the property in 1st and 2nd floor of the house from one Mr. Sundar Sivarao Satti Raju under notarised agreement of sale and occupied the premises. One of the sisters of the said Satti Raju gave a complaint against the appellant herein raising a dispute of the said property. A Civil Suit was pending at that time, because of that the appeal of the appellant was dismissed by this Authority earlier.

3. The suit filed by the appellant in O.S.No.2247 of 2017 against the relatives of the said Sattiraju for grant of perpetual injunction was decreed on 30.10.2023. But on his application the respondents have not reconnected the

two new Service Connections. Therefore he prayed the learned Forum to direct the respondents to install the two new electricity connections at his house.

WRITTEN SUBMISSIONS OF THE RESPONDENTS

4. In the written reply filed by respondent No.1, before the learned Forum, it is, inter-alia, submitted that the two new Service Connections were released to the appellant vide A8010289 and A8010290 on 23.04.2024. But the said meters were not installed due to objections raised by one Lakshmi d/o. Buchiraju who gave a complaint against the appellant objecting the release of the said two Service Connections. Already one Service Connection No. A40004297 is existing in the name of one Buchiraju at H.No.10-1-829/3, Chintalbasti and an amount of Rs.44,070/- is due on the said AService Connection.

5. In the written reply filed by respondent No.3, before the learned Forum, it is, inter-alia, submitted that the two Service Connections were not released because of legal issues.

AWARD OF THE FORUM

6. After considering the material on record and after hearing both sides, the learned Forum has rejected the complaint.

7. Aggrieved by the said Award passed by the learned Forum, the present appeal is preferred, contending among other things, that the Civil Court gave Decree in his favour vide O.S.No.2247 of 2017 on 30.10.2023. In spite of the said Decree the respondents are not connecting the two Service Connections as requested by him. He has also submitted that he has purchased the property consisting of ground plus two floors from one Sundar Shiva Rao Sattiraju under registered documents through Court Order. Therefore it is prayed to direct the respondents to install the two Service Connections in the above said house of the appellant.

WRITTEN SUBMISSION OF RESPONDENTS

8. In the written reply filed by respondent No.3, it is, inter-alia, submitted that two new Service Connections were released vide A8010289 and A8010290 on 23.04.2024. But they were not installed in the premises of the appellant. The old Service Connection No.A40004297 is existing in the name of one Buchi Raju at the premises at Chintalbasti. An amount of Rs.4848/- is pending towards Development Charges and an amount of Rs.611/- is pending towards theft charges and arrears of Rs.51,122/-.

ARGUMENTS

9. It is submitted by the appellant that he has been in possession of the house No.10-1-892/3 and that though the respondents have released two Service Connections to his house they have not installed the said meters in the house. Therefore he prayed to direct the respondents to install the two new

Service Connections at his house.

10. On the other hand, it is contended by the respondents that though two new Service Connections were released on 23.03.2024 to the appellant they were not installed as the said house is in the name of one Buchi Raju; that a sum of Rs.4,848/- is due to pay by the appellant towards Development Charges in respect of old Service Connection No. A4004297; that a sum of Rs.611/- towards theft charges and an amount of Rs.51,122/- is also due as arrears of existing Service Connection. Therefore they prayed to reject the appeal.

POINTS

11. The points that arise for consideration are:-
- i) Whether the respondents are liable to install the two Service Connections released in the name of the appellant at his premises ?
 - ii) Whether the impugned Award passed by the learned Forum is liable to be set aside ? and
 - iii) To what relief?

POINT No. (i) and (ii)

ADMITTED FACTS

12. It is an admitted fact that at present old Service Connection No.A4004297 is existing at H.No.10-1-892/3. It is also an admitted fact that the appellant is in possession of the property where the old Service Connection is existing. Further there is no dispute that the respondents have released two

Service Connection Nos. A8010289 and A8010290 in favour of the appellant on 23.04.2024 but they were not installed.

SETTLEMENT BY MUTUAL AGREEMENT

13. Both the parties have appeared before this Authority 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

14. The present appeal was filed on 05.07.2024. This appeal is being disposed of within the period of (60) days as required.

CRUX OF THE MATTER

15. Though the respondents have stated that the appellant is to pay an amount of Rs.611/- towards compounding the theft case, that amount is paid by now. Similarly the appellant has also paid the arrears amount of Rs.51,122/- in respect of the existing Service Connection. However a sum of Rs.4,848/- is due towards Development Charges on the existing Service Connection. But the dispute involved in the present appeal is regarding installation of new Service Connections.

16. The appellant claimed in the present appeal that he purchased the present property consisting of G+2 floors from one Sundar Sivarao Satti Raju

under registered documents through Court Order and applied for two new Service Connections for six portions. However it is significant to note that the appellant has not produced any such registered document including the alleged registered sale deed. But as regards the possession of the appellant in respect of the property where the existing Service Connection is supplying power, there is no dispute.

17. The material on record goes to show that the property in question is not in the name of the appellant. Similarly the existing old Service Connection is also not in the name of the appellant. Therefore it appears that though the respondents have released the two new Service Connections, after scrutiny of the documents they did not install the same, as the property is not in the name of the appellant. The appellant has claimed that the Civil Court has granted decree in O.S.No.2247 of 2017 on 30.10.2023. A perusal of the copy of judgement goes to show that one Ms. Saraswathi, d/o. Buchiraju, Ms. Seetha d/o. Buachiraju and Ms. Lakshmi d/o. Buachiraju, were three defendants against whom perpetual injunction was granted restraining them from interfering with the possession of the appellant over the property bearing H.No.10-1-892/3 consisting of first and second floors situated at A.C.Guards, Khairatabad, Hyderabad. In view of the above factors the respondents have rightly not installed the two new released Service Connections in favour of the appellant. Since already one existing Service Connection is supplying power to the property where the appellant is in possession and since this property is not

in name of the appellant, the respondents have not installed the two new Service Connections there correctly. Accordingly, I hold that the respondents are not liable to install the two new Service Connections released in the name of the appellant at the premises and the Award of the learned Forum is not liable to be set aside. These points are accordingly decided against the appellant and in favour of the respondents.

POINT No. (iii)

18. In view of the findings on point Nos. (i) and (ii), the appeal is liable to be rejected.

RESULT

19. In the result, the appeal is rejected confirming the Award passed by the learned Forum. However the respondents are directed to refund the amount paid towards release of new Service Connections as per Rules at the earliest and adjust the same in the electricity bills of the appellant.

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 7th day of August 2024.

**Sd/-
Vidyut Ombudsman**

1. Sri Zameer Sharief, s/o. Javeed Sharief, #10-1-892/3, A.C.Guards, Khairatabad, Hyderabad - 500 004. Cell:9398056490.
2. The Assistant Engineer/Operation/Anand Nagar/TGSPDCL/Hyderabad.
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6. The Superintending Engineer/Operation/Hyderabad Central Circle / TGSPDCL/Hyderabad.

Copy to

7. The Chairperson, Consumer Grievances Redressal Forum of TGSPDCL- Greater Hyderabad Area, Door No.8-3-167/E/1, Central Power Training Institute (CPTI) Premises, TSSPDCL, GTS Colony, Vengal Rao Nagar, Erragadda, Hyderabad - 45.

