



**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**

MONDAY THE SEVENTH DAY OF AUGUST  
TWO THOUSAND AND TWENTY THREE

**Appeal No. 21 of 2023-24**

Between

Sri Eppapula Srinivas, s/o. Late Eppapula Narsimhulu, H.No.8-3-228/967/A,  
Rahamath Nagar, Yousufguda, Hyderabad - 500 045. Mobile No.9059897899.

**.....Appellant**

**AND**

1. The Assistant Engineer/Operation/Sri Krishna Nagar/TSSPDCL/Hyderabad.
2. The Assistant Divisional Engineer/Operation / Ameerpet / TSSPDCL / Hyderabad.
3. The Assistant Accounts Officer/ERO/Banjara Hills/TSSPDCL/Hyderabad.
4. The Divisional Engineer/Operation/Banjara Hills/TSSPDCL/Hyderabad.
5. The Superintending Engineer/Operation/Banjara Hills Circle / TSSPDCL / Hyderabad.

**..... Respondents**

This appeal is coming on before me for final hearing on 04.08.2023 in the presence of the appellant in person and Sri P.Prem Kumar - ADE/OP/Ameerpet and Smt. M.R. Vanaja - JAO/Billing/Banjara Hills 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 - Hyderabad (in short 'the Forum') of

Telangana State Southern Power Distribution Company Limited (in short 'TSSPDCL') in C.G.No 413/2022-23, Banjara Hills Circle dt: 09.06.2023 rejecting the complaint.

### **CASE OF THE APPELLANT BEFORE THE FORUM**

2. The case of the appellant is that four electricity Service Connections (in short 'the subject Service Connections') were released in the name of the appellant by the respondents in respect of a house situated at Rahmath Nagar, Yousufguda, Hyderabad. On 04.02.2023, the respondents transferred the said four Service Connections in the name of one E. Sai Shreya without his notice. Therefore it was prayed to the learned Forum to direct the respondents to continue the name of the appellant in respect of the subject Service Connections.

### **WRITTEN SUBMISSIONS OF THE RESPONDENTS**

3. In the written reply submitted by respondent No.2, it is, inter-alia, stated that basing on the relevant documents the subject Service Connections were transferred to one E. Sai Shreya as per Rules.

4. The written reply of respondent No.3 is similar to that of respondent No.2.

### **AWARD OF THE FORUM**

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

various family cases are pending before the Court of Law.

6. Aggrieved by the Award passed by the learned Forum, the present appeal is preferred, contending among other things, that the learned Forum has not considered the material on record properly and that it is necessary for the respondents to continue the name of the appellant in respect of the subject Service Connections.

### **WRITTEN SUBMISSIONS OF THE RESPONDENTS**

7. In the written submission of respondent No.2, it is, inter-alia, stated that the Chief General Manager (Commercial)/TSSPDCL issued memos dt.21.03.2022 and 26.10.2022 to collect the following documents from the consumers for title transfer/name change as under:-

- i) ID proof of the applicant with self attestation.
- ii) Indemnity bond on a Non-Judicial stamp paper worth Rs. 100/- with photo of the applicant.
- iii) Self attested copy of registered sale deed/partnership deed/ will deed or any other registered ownership document in the name of the present applicant.

Based on the said memos, the name of the consumer was changed.

8. The written reply filed by respondent No.3, is also similar to that of respondent No.2.

### **ARGUMENTS**

9. Heard both sides.

## POINTS

10. The points that arise for consideration are:-
- i) Whether the name of the appellant can be continued in respect of the Subject Service Connections ?
  - 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

11. It is an admitted fact that earlier the respondents have released four Service Connections to the appellant in respect of the premises bearing H.No.8-3-228/967/A, Rahamath Nagar, Yousufguda, Hyderabad. The said subject Service Connections are as under:-

SI.No.	Service Connection No.	Date of release
1.	S2006941	01/11/1999
2.	S2016688	01/08/2008
3.	S2018406	10/07/2010
4.	S2018407	10/07/2010

Now the respondents have transferred the said Service Connections to one E.Sai Shreya. She is no other than the elder daughter of the appellant and one

E.Rekha.

### **SETTLEMENT BY MUTUAL AGREEMENT**

12. Both the parties appeared before this Authority on 04.08.2023. 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 25.07.2023. This appeal is being disposed of within the period of (60) days as required.

### **PURPOSE OF VIDYUT OMBUDSMAN**

14. The purpose of this Authority is to resolve the complaints and disputes between electricity consumers and their electricity service providers in a summary way free of cost. The main goal of this Authority is to ensure fair and efficient resolution of consumer complaints and to promote transparency and accountability in the electricity supply industry.

### **CRUX OF THE MATTER**

15. The appellant has filed copies of many documents. The copy of gift settlement dt.23.07.2007 goes to show that one D.Satyanarayana

(father-in-law of the appellant), executed this document in favour of the appellant in respect of ground floor of H.No.8-3-228/967/A. Since this document deals with an immovable property the gift deed must be registered. This document is not registered as such it will not give any right to the appellant over the subject property and thus it is not useful to the appellant. Basing on the document dt.23.07.2007, the appellant has obtained a loan by mortgaging the property H.No.8-3-228/967/A under a mortgage deed dt.05.08.2017. This document is also an unregistered one. More-over the document dt.23.07.2017 itself is not valid, as such the subsequent document dt.05.08.2017 will not help the appellant.

16. One Sri D.Satyanarayana, owner of the entire property has executed a registered gift deed on 20.12.2017 in favour of his wife Smt. G. Aruna Bai. Thereafter the said Aruna Bai has executed a registered gift deed on 26.11.2022 in favour of one E.Sai Shreya in respect of the subject property. Prima-facie the two registered gift deeds are valid. There is no registered document in favour of the appellant in respect of the subject property. However, it is for the Civil Court to decide the veracity or otherwise of these documents.

17. The record goes to show that in the earlier round of litigation, the mother-in-law of the appellant viz., G. Aruna Bai, filed a complaint before the learned Forum in C.G.No.682/2018019 challenging the name of the appellant

in respect of the subject Service Connections, She lost her case before the learned Forum and also before this Authority in Appeal No. 70 of 2018 dt.12.06.2019.

18. The appellant has also filed the copies of complaint dt.16.04.2019 lodged to the Inspector of Police, Jubilee Hills, Hyderabad filed by one G. Aruna Bai, remand case diary showing the arrest and remand of the appellant for the offences punishable under Sec. 420, 468 and 471 IPC. These documents are not helpful to the appellant in the present case. It appears that the real dispute is between the appellant and his family members but not with the Licensee-respondents.

19. The learned Forum has referred Clause 2.37 of Regulation 3 of 2015 of Telangana State Electricity Regulatory Commission, as the reason for rejecting the complaint. The said Clause 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.”

A perusal of Clause 2.37 of the said Regulation goes to show that if any proceedings is pending before any Court or Tribunal etc., in respect of the same matter or issue and between the same parties, the learned Forum may reject the complaint. In the present case except the criminal case no other case is pending. The Licensee is not a party to the said criminal proceedings. Therefore this Clause is not applicable in the present case.

20. The Licensee-respondents have simplified the procedure for transfer of name of the consumer and minimised the documents to be submitted giving comfort to the consumers while effecting such transfers. The subject memos of the Chief General Manager show the same. The respondents have followed the same and effected the transfer to one E. Sai Shreya in place of the appellant. This procedure adopted by the respondents is perfectly correct. In view of these factors, I hold that there are no sufficient grounds to continue the name of the appellant in respect of the subject Service Connections and also the Award of the learned Forum is not liable to be set aside but for different



reasons. These points are accordingly decided against the appellant and in favour of the respondents.

**POINT No. (iii)**

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

**RESULT**

22. In the result, the appeal is rejected, without costs confirming the Award passed by the learned Forum but for different reason.

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 07th day of August 2023.

**Sd/-  
Vidyut Ombudsman**

1. Sri Eppapula Srinivas, s/o. Late Eppapula Narsimhulu, H.No.8-3-228/967/A, Rahamath Nagar, Yousufguda, Hyderabad - 500 045. Mobile No.9059897899.
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5. The Divisional Engineer/Operation/Banjara Hills/TSSPDCL/Hyderabad.
6. The Superintending Engineer/Operation/Banjara Hills Circle / TSSPDCL / Hyderabad.

**Copy to**

7. The Chairperson, Consumer Grievances Redressal Forum of TSSPDCL- 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.

