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

MONDAY THE THIRD DAY OF FEBRUARY
TWO THOUSAND AND TWENTY FIVE

Appeal No. 43 of 2024-25

Between

Sri Porandla Prabhakar, H.No.3-7-265/4, Sri Venkateshwara Nagar,
Gudibandal Village and Mandal, Hanamkonda District. Cell: 8500386134.

…… Appellant

AND

1. The Assistant Engineer/Operation/Yadava Nagar - 8333923913.
2. The Assistant Divisional Engineer/Operation/Naim Nagar - 9440811344.
3. The Divisional Engineer/Operation/T/Hanamkonda - 7901678145

…..Respondents

This appeal is coming on before me for final hearing on this day in the presence of the appellant in person, virtually and Sri Laxman - AE/OP/Yadava Nagar, virtually for the respondents and having stood over for consideration, this Vidyut Ombudsman passed the following:-

AWARD

This appeal is preferred aggrieved by the Award in C.G.No.227/2024-25 dt.07.12.2024, Hanamkonda Circle passed by the Consumer Grievances Redressal Forum - I (in short 'the Forum') of Telangana State Northern Power Distribution Company Limited (in short 'TGNPDCL'), closing the complaint.

CASE OF THE APPELLANT BEFORE THE FORUM

2. The case of the appellant before the learned Forum is that the respondents have erected a stud pole at his premises at H.No.3-7-265/4, Srivenkateshwara Nagar, Gudibandal Village and Mandal, Hanamkonda District. It is causing inconvenience to the appellant. Therefore it was prayed to direct the respondents to shift the said pole.

WRITTEN SUBMISSIONS OF THE RESPONDENTS

3. In the written reply submitted by respondent No.1, it is, inter-alia, submitted that the stud pole was erected at vertical point (90) in LT line and it is in municipal area on the road. It was provided as per construction standards and if it is removed the existing line will fall on the ground. It is not possible to provide two numbers of stay sets as there is no space for providing stay sets. The existing pole is not causing any problem to the appellant.

AWARD OF THE FORUM

4. After considering the material on record and after hearing both sides, the learned Forum has closed the complaint on the ground that it is not possible to shift the pole in question and it is not causing any inconvenience to the appellant.

5. Aggrieved by the Award passed by the learned Forum, the present

appeal is preferred reiterating the contents of the complaint filed by the appellant before the learned Forum.

WRITTEN SUBMISSION OF THE RESPONDENTS

6. In the written reply filed by respondent No. 1, he has reiterated the contents of his written reply submitted before the learned Forum.

ARGUMENTS

7. The appellant has submitted that the subject pole is causing inconvenience to him and therefore it is prayed to direct the respondents to shift the pole from the said premises.

8. On the other hand, it is submitted by the respondents that no inconvenience is caused to the appellant and there is no scope for shifting the existing pole.

POINTS

9. The points that arise for consideration are:-

i) Whether the respondents are liable to shift the subject pole as prayed for by the appellant ?

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

10. It is an admitted fact that the subject pole is existing near the house of the appellant in the municipal area. It is also an admitted fact that the existing pole is not erected very recently.

SETTLEMENT BY MUTUAL AGREEMENT

11 Both the parties have appeared before this Authority on different dates virtually. 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

12. The present appeal was filed on 06.01.2025. This appeal is being disposed of within the period of (60) days as required.

CRUX OF THE MATTER

13. The subject stud pole is seen in the photographs sent by the appellant which are as under:-


AKHIL
MOBILES
SALES & SERVICES
REPAIRING


RITHIKA SRI ALL DTH
SALES & SERVICES
TATA PLAY

The appellant's contention is that the subject pole is causing inconvenience to him. But even according to the appellant the said stud pole is not erected recently. According to the respondents, the stud pole was provided at vertical point (90) in LT line and it is in the municipal area on the road and it is as per construction standards. It is the specific case of the respondents that if the stud pole is removed, the existing line will fall on the ground. They have also stated that there is no alternative as there is no space for providing stay sets. The material on record and the photos, prima-facie, show that there is no alternative to shift the stud pole. Moreover, as submitted by the respondents,

the existing pole is not causing any inconvenience to the appellant. The learned Forum has considered all these aspects properly and came to the correct conclusion. In view of these factors, I hold that the respondents are not liable to shift the subject pole as prayed for by the appellant 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)

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

RESULT

15. In the result, the appeal is rejected confirming the Award passed by the learned Forum.

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 3rd day of February 2025.

Sd/-
Vidyut Ombudsman

1. Sri Porandla Prabhakar, H.No.3-7-265/4, Sri Venkateshwara Nagar, Gudibandal Village and Mandal, Hanamkonda District. Cell: 8500386134.
2. The Assistant Engineer/Operation/Yadava Nagar - 8333923913.
3. The Assistant Divisional Engineer/Operation/Naim Nagar - 9440811344.
4. The Divisional Engineer/Operation/T/Hanamkonda - 7901678145.

Copy to

5. The Chair person, CGRF, TGNPDCL, H.No: 2-5-31/2, Corporate Office, Vidyut Bhavan, Nakkalgutta, Hanamkonda, Warangal - 506 001.

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