



**BEFORE THE VIDYUT OMBUDSMAN FOR THE STATE OF TELANGANA**

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

**PRESENT : SRI MOHAMMAD NIZAMUDDIN  
VIDYUT OMBUDSMAN**

SATURDAY THE TWENTY EIGHTH DAY OF DECEMBER  
TWO THOUSAND AND TWENTY FOUR

**C.M.P. No. 12 of 2024-25**

**in**

**Appeal No. 29 of 2024-25**

Between

Sri Vempati Kiran Kumar, s/o. Vempati Laxmi Kantha Rao, H.No.3, Market  
Road, Opp: Venkateswara Swamy Temple, Suryapet - 508213.  
Cell: 9290848302, 9885006242.

**.....Petitioner / Appellant**

**AND**

1. The Assistant Engineer/OP/Suryapet Town-II/TGSPDCL/Suryapet District.
2. The Assistant Divisional Engineer/OP/Suryapet/TGSPDCL/Suryapet District.
3. The Assistant Accounts Officer/ERO/Suryapet/TGSPDCL/Suryapet District.
4. The Divisional Engineer/OP/Suryapet/TGSPDCL/Suryapet District.
5. The Senior Accounts Officer/Operation/Suryapet/TGSPDCL/Suryapet District
6. The Superintending Engineer/OP/Suryapet/TGSPDCL/Suryapet District.
7. The Chief Engineer/Commercial/TGSPDCL/ Hyderabad.

**..... Respondents / Respondents**

This petition is coming on before me for final hearing on this day in the presence of the petitioner virtually and Sri L.Srinivas Rao - ADE/OP/Suryapet, Sri V.Lingaiah - AAO/ERO/Suryapet and Sri V. Satyanarayana - SAO/OP/Suryapet for the respondents, virtually and having stood over for consideration till this day, this Vidhyut Ombudsman passed the following:-

## **ORDER**

This petition is filed for compliance of the Award passed in Appeal No. 29 of 2024-25 dt.28.10.2024 of this Authority, by the Licensee-respondents.

2. This Authority while allowing the appeal, at para No. 20 of the said Award has passed the following order:-

"In the result, the appeal is allowed by setting aside the order dt.12.09.2024 of the learned Forum in respect of implementation of its Award and also the Award in C.G.No.13/2024-25 dt.15.07.2024 to the extent of rejecting the compensation.

The learned Forum is directed to reopen the representation of the appellant dt.06.09.2024 rejected on 12.09.2024 and issue notice to both parties, hear them and pass Award accordingly as per the relevant Clauses referred above for compliance in respect of rectification of bill. The appellant is granted compensation @ Rs.100/- per day for the period from 12.02.2024 to 28.10.2024 and also granted additional compensation of Rs.1,000/- (Rupees one thousand only) towards pain and appeal costs etc., The respondents are directed to adjust the total compensation in future bills of the subject Service Connection of the appellant and file compliance before this Authority within one month from the date of receipt of copy of this Award."

Since the Award of this Authority is not complied with. It is prayed to award compensation accordingly.

3. Counter is not filed.

4. Heard both sides. It is submitted that the W.P.No. 36331 of 2024 was already filed by the respondents.

5. The point for consideration is, whether there are sufficient grounds to close the petition?

## POINT

6. As seen from the record, aggrieved by the Award of the learned Forum, the respondents have preferred W.P.No. 36331 of 2024 before the Hon'ble High Court for the State Telangana at Hyderabad. It is the argument of the petitioner that the Award of the learned Forum in so far as it is against him, the present proceedings shall be continued in spite of filing the writ petition. At this stage it is necessary to refer to Clause 2.37 of Regulation of 2015 of the Hon'ble Telangana Electricity Regulatory Commission (in short 'the Regulation'), which reads as under:-

2.37. 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.*

Clause 2.37 (a) of the Regulation is relevant here.

No doubt the above said Clause is in respect of the jurisdiction of the Forum, the principle involved in the said Clause is that when the superior authority is seized of the matter, the other Forum is not supposed to entertain any grievance. Otherwise, there will be conflicting orders. Further at this stage it is also desirable to refer to Clause 3.20 of the Regulation which reads as under:-

**3.20.** Subject to the provisions of the Act and this Regulation, the Ombudsman's decision on whether the representation is fit and proper for being considered by him or not, shall be final.

*Provided that no representation may be rejected where a grievance is heard and adjudicated by the Forum.*

This Clause makes it quite clear that this Authority can take a decision as to whether any representation is fit and proper for being considered by the Authority or not. Further not only Clause 2.37 of the Regulation, even under Clause 3.20 of the Regulation also this Authority can decide as to whether the present proceedings can be continued or not. In view of these factors I hold that there are sufficient grounds to close the petition.

## **RESULT**

7. In the result, the petition is closed.

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 this the 28th day of December 2024.

Sd/-

**Vidyut Ombudsman**

1. Sri Vempati Kiran Kumar, s/o. Vempati Laxmi Kantha Rao, H.No.3, Market Road, Opp: Venkateswara Swamy Temple, Suryapet - 508213.  
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