



TAMIL NADU ELECTRICITY OMBUDSMAN

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BEFORE THE TAMIL NADU ELECTRICITY OMBUDSMAN, CHENNAI

Present : Thiru. A. Dharmaraj, Electricity Ombudsman

Appeal Petition No. 40 of 2012

Thiru. V.S. Sagadevan,
S/o Vadivel Mudaliyar,
Then Mambakkam Village
Arakonam Taluk

. . . . Appellant

Vs

The Executive Engineer / O & M,
Sholinghar Division,
Vellore Electricity Distribution Circle,
TANGEDCO,
Sholinghar

. Respondent

Date of Order : 15.5.2013

1. Thiru. V.S. Sagadevan, Thenmambakkam has filed an appeal petition on 17.9.2012 against the order dt.18.7.2012 of the CGRF of Vellore EDC. The appeal petition was registered as appeal petition No. 40 of 2012.
2. The Appellant prayed to set aside the orders dt.18.7.2012 of the CGRF of Vellore EDC and to direct the respondent to draw electricity wires on top of the two poles already erected and effect the commercial service applied for his bricks kilns in Panapakkam village in the already sanctioned route by rejecting the objection of Thiru. M. Venkatachalam not to draw the lines through his land.

3. The Appellant informed that he received the order of CGRF of Vellore EDC on 5.8.2012 and filed a review petition before the CGRF which was received by the CGRF on 27.8.2012 and returned on 3.9.2012 with a instruction to file an appeal before the Electricity Ombudsman . Accordingly he filed the appeal petition on 20.9.2012. He informed that the delay is not willful or wantan but due to the aforesaid reasons.

4. As per regulation 8 of the Forum Regulations, the Electricity Ombudsman may entertain an appeal petition after expiry of the said period of 30 days, if he is satisfied that there was sufficient cause for not filing the appeal within the said period of 30 days.

5. As the delay is only 35 days, and that too due to filing a review petition before the CGRF, I am satisfied with the reasons explained by the Appellant for the delay and hence the delay is condoned.

6. A copy of the appeal petition was forwarded to the respondent for filing the counter on 24.9.2012. The counter furnished by the EE/Sholinghur was received at the office of Electricity Ombudsman on 18.10.2012.

7. Hearings were held on 6.11.2012, 18.12.2012 and 6.3.2013.

8. Thiru. R. Varathan, Senior Advocate has represented the Appellant on 18.12.2012 and 6.3.2013 and argued the case of the Appellant to effect the supply through the already sanctioned route.

9. Thiru. Udayan, Executive Engineer/O&M/Sholinghur himself has argued for his side and informed that the Appellant has to clear the objection to effect the service in the already sanctioned route.

10. During the hearing held on 6.3.2013 the Executive Engineer/ O&M/Sholinghur has informed that there is an alternate route to effect the supply to the appellant and he is ready to effect supply through the alternate route if the Appellant agrees for the above.

11. The Appellant informed that he needs some more time to examine the proposal.

12. The Appellant in his letter dt.18.4.2013 has informed that his service was effected on 5.4.2013 in the alternate route by the licensee and the service connection number is 279-002-1660 and requested for orders of Electricity Ombudsman for refund of the amount he has paid for effecting service in the route originally sanctioned.

13. The Appellant has also sent another letter on 20.4.2013. In the letter he has stated that as the service was effected in the alternate route, he is withdrawing the petition filed before the Consumer Grievance Redressal Forum. The letter was addressed to Electricity Ombudsman, the CGRF has already given its order and the appeal made before the Electricity Ombudsman alone is pending as on date hence, it is presumed that the Appellant has wrongly mentioned CGRF instead of Electricity Ombudsman in the above letter.

14. The respondent in his letter dt.6.5.2013 has informed that the service connection was effected in the alternate route on 5.4.2013 and enclosed the Appellant's letter informing the withdrawal of the petition filed before the Electricity Ombudsman.

15. With regard to the request of the Appellant for refund of the amount that was already paid for effecting the service on the route originally sanctioned by the licensee, the respondent informed that action will be taken to refund the amount of Rs.5390/- paid by the Appellant (towards party side estimate amount) as per Boards rules in force. As the respondent has agreed to arrange for the refund of the amount paid by the Appellant as per Boards rules in force, the request for refund was also settled without any dispute.

16. As the Appellant himself has stated that the service was effected in the alternate route and he is withdrawing the appeal petition, the A.P. No. 40 of 2012 is dismissed as withdrawn.

(A. Dharmaraj)
Electricity Ombudsman

To

- 1) Thiru. V.S. Sagadevan,
S/o Vadivel Mudaliyar,
Then Mambakkam Village
Arakonam Taluk.
- 2) The Executive Engineer / O & M,
Sholinghar Division,
Vellore Electricity Distribution Circle,
TANGEDCO,
Sholinghur
- 3) The Superintending Engineer,
Vellore Electricity Distribution Circle,
TANGEDCO (formerly TNEB),
Gandhi Nagar,
Vellore 632 006.
- 4) The Chairman (Superintending Engineer),
Consumer Grievance Redressal Forum,
Vellore Electricity Distribution Circle,
TANGEDCO (formerly TNEB),
Gandhi Nagar, Vellore 632 006.

- 5) The Chairman & Managing Director,
TANGEDCO,
NPKR Malaigai,
144, Anna Salai,
Chennai – 600 002.

- 6) The Secretary
Tamil Nadu Electricity Regulatory Commission
No.19A, Rukmini Lakshmi pathy Salai
Egmore,
Chennai – 600 008.

- 7) The Assistant Director (Computer) - **FOR HOSTING IN THE WEBSITE**
Tamil Nadu Electricity Regulatory Commission,
No.19A, Rukmini Lakshmi pathy Salai,
Egmore,
Chennai – 600 008.