



**BEFORE THE VIDUYUT OMBUDSMAN  
Andhra Pradesh :: Amaravathi**

:: Present ::

**N. Basavaiah, B.Sc, B.L.**

**Date: 26-3-2020**

Appeal No. 44 of 2019-20

**Between**

A.Chandra Sekhar Reddy, 3-60 A, Perumallapalli, Tirupati, Chittoor District

... Appellant

**And**

1. The Assistant Executive Engineer/Operation/APSPDCL/**Tirupati(R)**
2. The Deputy Executive Engineer / Operation/APSPDCL/**Chandragiri**
3. The Executive Engineer / Operation / APSPDCL/**Tirupati Rural**

....Respondents

**ORDER**

The above appeal- representation came up for final hearing before the Viduyut Ombudsman on 19-03-2020 at Vijayawada. The complainant, as well as the respondents, was present. Having considered the appeal-representation and the submissions made by both sides through video conference, the Viduyut Ombudsman passed the following:

1. This appeal has been preferred by the appellant-complainant against the

order ***dated.20-11-2019 in C.G.No. 322/2018-19/Tirupati Circle,*** passed by the ***Forum for Redressal of Consumer Grievances in Southern Power Distribution Company of A.P Limited, Tirupati,*** whereby and where under the above Forum dismissed the complaint filed by the complainant for a direction to the respondents to shift the distribution transformer, electrical lines and poles etc., from the existing places to other places .

2. The case of the appellant complainant is that a number of electric poles were laid and a distribution transformer was erected, in his land of Ac. 3 acres 12 cents in survey no. 450/A of Pudipatla village without following any procedure in spite of his objections, and due to the existence of those poles etc, he is unable to cultivate his lands, that respondents got a 11kV electrical line laid across the road causing obstruction for passing vehicles to his land of Ac. 50 cents in survey no. 313 / 2 in Pudipatla village and that therefore, he filed the complainant with the above prayer.

3. The case of the respondents is that the land in survey no. 450 / A of Pudipatla village originally belongs to the Government, and service connection No. 5424304000391 stands in the name of K.R.Muni Reddy, that the complainant is not a consumer and has no right to file the complaint, that electric poles are situated on the road margin, and if there is any objection with regard to the electrical poles, the complainant has to make necessary application before the competent authority for shifting of electrical poles by paying estimation charges as per terms and conditions of electrical energy, that poles were erected on the edge of the land of the complainant long back and that the electrical line is not a 11kV line, but it is an agricultural wire line erected in the interest of general public

in the said society.

4. No oral evidence was adduced by both parties before the forum. After considering the material available on record, the Forum came to a conclusion that the poles and lines etc, were erected in the lands in 1990 and 2003, respectively, and held that the complaint is barred by time and that the Forum is not competent to give a direction to the respondents to shift the lines and poles at free of cost which were laid long time back. Not satisfied with the above order, the complainant preferred this representation.

5. The appellant submitted the facts as alleged in his complaint. The respondents have submitted that the grievance expressed by the appellant complainant with respect to shifting of service line existing in the land bearing in the survey No. 313/2 could be done free of cost and that they are helpless to redress the grievance of the appellant complainant with respect to shifting of service line existing in the land bearing in the survey No. 450/A. The appellant complainant, in his reply, has submitted that if his grievance with respect to 1st item is not redressed, compensation may be awarded to him. The appellant did not make any submission touching the above finding of the Forum with respect to the service line etc., existing in the land in S.No.450/A, and I did not find any reason to interfere with the above finding of the Forum.

6. Considering the submission made by the appellant, the following point is framed for consideration:

Whether the appellant complainant is entitled to any compensation with respect of his first grievance in S. No. 450/A?

7. Point: The appellant complainant did not claim any compensation in his complaint. He did not place any authority to substantiate his claim for compensation. Apart from it, the poles were laid, and the DTR was erected about 30 years back. This authority is not vested with any power to grant any compensation like in the present facts of this case. Therefore, I am unable to accept the submission of the appellant complainant. This point is, thus, answered.

8. In the result, I, partly, allow the appeal representation holding that the appellant is entitled to the relief sought for by him with respect to his land in

S.No.313/2 and is not entitled to the relief sought for by him with respect to his land in S.No.450/2 direct the respondents to shift the existing service line in the land in S.No.313/2 of the appellant to another place as per their undertaking within a reasonable time, preferably within one month from this day. No costs.

*Ammended as  
per orders  
dt.31-03-2020  
S.No.450/2 to  
S.No.450/A*

9. A copy of this order is made available at [www.vidyutombudsman.ap.gov.in](http://www.vidyutombudsman.ap.gov.in)

Sd/- N.Basavaiah

**VIDYUT OMBUDSMAN**

**To**

1. A.Chandra Sekhar Reddy, 3-60 A, Perumallapalli, Tirupati, Chittor District
2. The Assistant Executive Engineer/Operation/APSPDCL/Tirupati(R)
3. The Deputy Executive Engineer / Operation/APSPDCL/Chandragiri
4. The Executive Engineer / Operation / APSPDCL/Tirupati Rural

**Copy To:**

5. The Chairman, C.G.R.F., APSPDCL, 19/13/65/A, Srinivasapuram, Near 132 kV substation, Tirchanoor Road, Tirupati- 517 503.
6. The Secretary, APERC, 11-4-660, 4th Floor, Singareni Bhavan, Red Hills, Hyderabad - 500 004 .