

THE STATE ELECTRICITY OMBUDSMAN
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APPEAL PETITION No. P/061/2014

(Present: Sri. V.V. Sathyarajan)

Dated: 16th April 2015

Appellant : Smt. Lakshmikutty J.
Panavila Padinjattathil,
Neeleswaram P.O,
Kottarakkara,
Kollam-691 506.

Respondent : The Assistant Executive Engineer,
Electrical Sub Division,
KSE Board Limited,
Kottarakkara,
Kollam District

ORDER

The appellant is a consumer under the Electrical Sub Division, Kottarakkara (West). Her grievance is with regard to the delay in shifting of an electric post which causes hindrance for vehicular traffic. Though the appellant paid the estimated work deposit amount, the KSEB could not complete the post shifting work due to the objection of a neighbour. The appellant already obtained no objection certificate from the Panchayath for shifting the electric post. The appellant approached the CGRF praying to direct the KSEB to take necessary steps to shift the electric post. The respondent submitted before the Forum that the Hon'ble Munsiff Court, Kottarakkara had passed interim order in OS 587/12 and 387/12 restraining the defendants from altering the lie and condition of the pathway. Moreover, the Neduvathoor Grama Panchayath sent a letter to the Assistant Engineer not to implement their earlier decision to shift the post in view of the injunction order of the Munsiff Court. In the circumstances the Forum closed the matter without granting the relief sought for. Aggrieved against the said order, this appeal petition was filed.

Hearing of the appeal was conducted on 31/03/2015 in my chamber at Edappally, Kochi. Smt. Prasanna L. represented the appellant and Sri G. Anil

Kumar, Assistant Executive Engineer represented the respondent. It has come out that the case pending before the Munsiff Court, Kottarakkara has not yet been disposed of. Hence the injunction order restraining the concerned authorities from altering the lie and condition of the pathway is still in force. This Authority is therefore not in a position to take a decision on the representation pending before it. The plaintiff who moved the Munsiff Court is not a party to the appeal petition on the file of this Authority. Hence this Authority cannot initiate any steps to compromise the matter. The respondent is not in a position to shift the electric post due to the injunction order. In the circumstances, the appellant is advised to take steps to compromise the issue with the party who moved the Munsiff Court. She can also approach the "Grama Panchayath seeking to take steps to vacate the injunction order. The appeal petition is disposed of with the above observations. No order as to costs.

Electricity Ombudsman

No. P/061/2015/_____ /Dated:_____

Forwarded to:

1. Smt. Lakshmikutty J. Panavila Padinjattathil, Neeleswaram P.O,
Kottarakkara, Kollam-691 506
2. The Assistant Executive Engineer, Electrical Sub Division, KSEBoard Ltd,
Kottarakkara, Kollam District.

Copy to:

1. The Secretary, Kerala State Electricity Regulatory Commission, KPFC
Bhavanam, Vellayambalam, Thiruvananthapuram-10.
2. The Secretary, KSE Board Limited, Vydhyuthibhavanam, Pattom,
Thiruvananthapuram.
3. The Chairperson, Consumer Grievance Redressal Forum,
Vydhyuthibhavanam, KSE Board Ltd, Kottarakkara - 691 506