



A consumer is the important visitor on our premises.  
He is not dependent on us. We are dependent on him.  
-Mahatma Gandhi

## **TAMIL NADU ELECTRICITY OMBUDSMAN**

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**Before The Tamil Nadu Electricity Ombudsman, Chennai**

**Present : Thiru. N.Kannan, Electricity Ombudsman**

**A.P.No. 60 of 2024**

Thiru K.V.Sekar,  
Plot No.120A, 4<sup>th</sup> Cross, Chandran Nagar,  
Chrompet, Chennai – 600 044.

. . . . . Appellant  
(Thiru K.V.Sekar)

Vs.

The Executive Engineer/O&M/Pallavaram,  
Chennai Electricity Distribution Circle/South-II,  
TANGEDCO,  
110/33-11 KV Pallavaram SS complex,  
Chennai-600 043.

. . . . Respondents  
(Thiru M.S. Pariraj, EE/O&M/Pallavaram)

**Petition Received on: 19-08-2024**

**Date of hearing: 08-10-2024**

**Hearing postponed & Scheduled**

**on : 16-10-2024 & 23.10.2024**

**Date of order: 28-10-2024**

The Appeal Petition received on 19.08.2024, filed by Thiru K.V.Sekar, Plot No.120A, 4<sup>th</sup> Cross, Chandran Nagar, Chrompet, Chennai – 600 044 was registered as Appeal Petition No. 60 of 2024. The above appeal petition was scheduled to hear on 08.10.2024. But as per the request of the Appellant, it was postponed to 16.10.2024, again it was postponed and rescheduled on 23.10.2024. Upon perusing the Appeal Petition, Counter affidavit, written argument, and the oral

submission made on the hearing date from both the parties, the Electricity Ombudsman passes the following order.

## **ORDER**

### **1. Prayer of the Appellant:**

The Appellant has prayed to remove the electrical posts erected and wires passing through building immediately and take action against erring officials. He also requested to direct the concerned officials to provide the details called for under RTI.

### **2.0 Brief History of the case:**

2.1 The Appellant has raised objection to remove the pole and service wire passing through his building.

2.2 The Appellant was intimated by the AE/O&M/Pallavaram/West that the pole was erected in public place with adequate safety clearance in the corporation road without any hindrance to the common public and the petitioner.

2.3 Hence the Appellant has filed a petition with the CGRF of Chennai EDC/south-II on 10.06.2024 requesting to removal of pole.

2.4 The CGRF of Chennai EDC/south-II has issued an order dated 11.07.2024. Aggrieved over the order, the Appellant has preferred this appeal petition before the Electricity Ombudsman.

### **3.0 Orders of the CGRF :**

3.1 The CGRF of Chennai EDC/south-II issued its order on 11.07.2024. The relevant portion of the order is extracted below: -

*“Order:*

*The LT pole and lines are erected in the public path way with adequate safety clearance. Hence, the petitioner's request to relocate/ remove the LT line/pole and service wire, which was erected with proper safety clearance, at the Respondent's cost for relocation is not feasible of compliance. However, if the petitioner still wishes to relocate the pole, he may*

*contact the Respondent with a requisition for shifting the LT pole on DCW basis and the Respondent shall examine the request of the Appellant and take necessary action subject to technical feasibility.”*

#### **4.0 Hearing held by the Electricity Ombudsman:**

4.1 To enable the Appellant and the Respondent to put forth their arguments, a hearing was scheduled on 08.10.2024. But as per the request of the Appellant, it was postponed to 16.10.2024, again it was postponed and conducted on 23.10.2024 through video conferencing.

4.2 The Appellant Thiru K.V.Sekar attended the hearing and put forth his arguments.

4.3 The Respondents Thiru M.S. Pariraj, EE/O&M/Pallavaram of Chennai Electricity Distribution Circle/South-II attended the hearing and put forth his arguments.

4.4 As the Electricity Ombudsman is the appellate authority, only the prayers which were submitted before the CGRF are considered for issuing orders. Further, the prayer which requires relief under the Regulations for CGRF and Electricity Ombudsman, 2004 alone is discussed hereunder.

#### **5.0 Arguments of the Appellant:**

5.1 The Appellant has stated that in the year 2019 connection was given by Pallavaram office and on his objection the same was disconnected. Subsequently, in the year 2021, once again connection was given. Once again he made objection to the AE for the electrical posts erected in his building and line passed through his building without obtaining NOC from him at the time of giving connection to the consumer Mr. Jeeva (Consumer No. 254- 254-1249). Despite letters and reminders over phone to AE and met personally, A.E. is not acted upon it.

5.2 The Appellant has further stated that he asked the details of the documents submitted for getting connection by the above consumer under RTI Act 2005. Even

after lapse of 6 months, neither he received reply from the concerned PIO nor from the Appellate Authority. He stated that the said connection was given without following rules and regulations and without any supporting documents.

5.3 The Appellant has requested to advise the concerned authorities to remove electrical posts erected and wires passing through building immediately and take action against erring officials. He also requested to direct the concerned officials to provide the details called for under RTI.

#### **6.0 Arguments of the Respondent:**

6.1 The Respondent has stated that Thiru. K. V. Sekar, residing at No: 120A, 4th cross street, Chandran Nagar, Chrompet Chennai-44 has filed an online CGRF petition number 175 on 10.06.2024 for non redressal of his request made to the AE and from PIO appellate authority of Pallavaram West Section Office.

6.2 The Respondent has stated that the petitioner mentioned service no: 254-254-1249 was effected on 24.6.2022. But the petitioner has raised his objection for removing of the pole and service wire only from 26.4.2023.

6.3 The Respondent has further stated that the consumer was orally intimated by the Assistant Engineer/O&M/ Pallavaram West the pole was erected in public place with adequate safety clearance in the corporation road without any hindrance to the common public and the petitioner.

6.4 The Respondent has stated that the petitioner has stated that he made objection to the AE/West Pallavaram for the electrical poles erected in his building and line passing through his building at the time of giving connection to the consumer Mr. Jeeva (Consumer no: 254 2541249). The petitioner has requested to remove the electrical poles erected and wires passing through his building at Thiru. Vi. Ka street, Pallavaram.

6.5 The Respondent has stated that on site inspection the two core cable which the petitioner is requesting to remove is laid on the adjacent house compound wall

without any interference to the petitioner. Also it is noted that, the two core cable is service cable which is well within 30 meters from the pole.

6.6 The Respondent has stated that based on CGRF order and TNERC rule 29 (6) it is understood that the consumer must allow the licensee to extend the supply to other consumers using the cables. Lines, poles the licensee may utilize the consumer's infra structure for providing services to other consumers as well. However, it is stipulated that such extension or modifications should not disrupt or compromise the quality of the services provided to the primary consumer.

6.7 The Respondent has stated that in this case, the petitioner has objected for erecting the pole (iron pipe) by expansion of LT service wires which is not in his premises. The Respondent has extended supply to another intending consumer by means of LT lines on the existing LT line which is already feeding the petitioner's domestic service connection.

6.8 The Respondent has stated that in accordance with the terms of the rule, the petitioner cannot object to the actions of the Respondent, as the Rule permits the licensee to extend supply to other consumers using the infrastructure installed on the consumer's premises, as long as it does not unduly affect the services provided permissible bounds as outlined by the Rule.

6.9 The Respondent has stated that however, if the petitioner still wishes to relocate the service wire, which is already tied with adequate safety he may contact the Respondent with a requisition for shifting of the service wire and the Respondent shall examine the request of the Appellant and take necessary action subject to technical feasibility.

6.10 The Respondent has further stated that the site was inspected by EE/O&M/Pallavaram along with AEE/O&M/Pallavaram and AE/O&M/West Pallavaram on 12.9.2024 and noted that the petitioner mentioned pole (Iron pipe) was already removed and the service wire was passing through the neighbour's Compound (Novel scan centre) fencing with their knowledge.

6.11 The Respondent has stated that the petitioner Thiru. K.V. Sekar has filed a court case bearing OS no: 23/2022 in District Munsif & Judicial Magistrate Court, Pallavaram and the copy of the letter is attached herewith. The case was in trial and the next hearing is on 4.11.2024.

6.12 The Respondent has stated that Thiru. Jeeva was expired and the defendents have objected for removal of the service wire from the compound wall. The copy of the objection letter is enclosed herewith. And also Thiru. Jeeva has filed a court case against Thiru. V. Sekar bearing OS no: 447/2021 in the court of District Munsif at Alandur. Due to sudden demise of Thiru. Jeeva one of the Plaintiff Thiru. Prabhakaran has filed a case to reopen of the OS no: 447/2021. The Respondent has stated that based on court case judgment and as per TNERC norms necessary action will be taken up.

6.13 The Respondent has prayed to pass an order rejecting the request for removal of the service wire and that it is not pursued by the complainant with reasonable diligence and to pass just & further orders in TNEO petition No. 60 of 2024 to meet the ends of justice.

## **7.0 Written arguments submitted by the Appellant during the hearing:**

7.1 The Appellant has stated that his objection is passing LT line through his premises for back portion connection in the name of Mr.Jeeva. He gave objection on 20.12.2021 and reminded them on 24.05.2022. Despite his objections, they gave connection and LT wire was taken through his premises and pole was installed on his compound wall without his permission or NOC. He stated that he gave number of letters to Assistant Engineer and asked details under RTI Act. They have not replied promptly. The matter was taken to CGRF. Hearing was conducted on 26.06.2024 and order was passed on 11.07.2024.

7.2 The Appellant has stated that he presented before the CGRF and agreed his points. In the meeting of forum, the Chairman of CGRF instructed the respondent (EE of Pallavaram) to disconnect the line after giving 7 days notice to

the consumer. In the order issued by CGRF is entirely contrary to the instructions given in the meeting. So, the Chairman of the CGRF order is biased. He stated he has not received the original order issued by CGRF till now even after sending reminder through mail. He received a copy of the order through email only.

7.3 The Appellant has stated that in the para 3 of the Affidavit, the Respondent submitted that the information sought by the petitioner was provided. He called the documents submitted by Mr. Jeeva at the time of connection. Respondent informed that information sought by the petitioner has been sent. He stated that he could not infer any details sought by me under RTI Act 2005 from the respondent's letter dated 12.06.2024. In that letter, Sl. No. 3, they have quoted Clause 11 of RTI Act and denied the basic details. As per Clause 11 of RTI Act 2005, denial of information in case of any possible harm or injury to the interests of such third party. So, respondent is wrongly interpreted the said clause. Moreover, such disclosure of information is not covered under Sec 8 of RTI Act i.e. Exemption from Disclosure of Information. Denial of information is utter violation of RTI Act 2005.

7.4 The Appellant has further stated that in the letter dated 12.06.2024 in para 3 respondent informed that objection raised by the individual. Instead of giving reply within 30 days from the date of receipt of letter, Public Information Officer(PIO) and Appellate Authority have given reply after 3 months. That too after hearing date was fixed in CGRF. They have not informed who has objected.

7.5 The Appellant has stated that an individual died on 22.12.2023. In the PIO letter dated 12.06.2024 and Appellate Authority letter No. Lr. No. SE/CEDC/S-II/AEE/PRO/F.R.I.A appeal 10 /D.536/24 dated 19.06.2024 have informed that objection raised by the individual. How died man can raise an objection. It is false information given to the petitioner.

7.6 The Appellant has stated that till his disclosure in CGRF meeting PIO and Appellate authority did not know Mr. Jeeva died. Appellate authority has also gave reply without verifying. Respondent could not answer appellant's question raised in

CGRF hearing. A copy of letter is not provided to him till date. So the letter obtained by the PIO is not valid in law. Even after passing information, they have not followed the procedures such as obtaining death certificate, legal heir certificate, etc of Mr. Jeeva.

7.7 The Appellant has stated that in Para 5, once again respondent gave false affidavit. Service connection was given on 24.06.2022 and objection was raised on 26.04.2023. His objection was raised on 26.04.2023 for removal of poles and Wires from my premises, i.e. after installation. Respondent has not taken my earlier objections sent on various date. Prior to that he gave objection vide letter dated 20.12.2021 sent by Registered post and subsequent reminder letter dated 24.05.2022. Copies of letter are enclosed. Contention of respondent is wrong.

7.8 The Appellant has stated that in para No. 6 and 7 are contrary in nature. Respondent deposed that pole was erected in public place and in para 7 respondent declared in his building. His objection is pole installed in his premises and line passing through his premises.

7.9 The Appellant has stated that the Respondent once again gave false affidavit in para 8. Two core cable is passing through his premises not through adjacent house. Photographs/video taken today exhibited before the Hon'ble member. Based on CGRF order only (in para 9) appeal is filed before the Hon'ble member. Para No. 10 is also objectionable one. The respondent should not interfere in his privacy without his permission.

7.10 The Appellant has stated that in para 11, Respondent gave falls report with regard to passing service through neighbors compound (Novel Scan centre). Till date it is passing through his premises only. (exhibition of Photo/Video). In para 12, Case No. OS No. 23/2022 is not at all relevant to this issue. The case was filed by the petitioner with prayer to construct my compound wall demolished by Mr. Jeeva and others. Respondent is submitted without understanding the prayer of the case.



7.11 The Appellant has stated that in para 13, Respondent claimed that OS No. 447/2021 in the Alandur District Munsif Court. He stated that he had already informed to the CGRF that the case was transferred to Pallavaram Court and numbered as 275/2023. The said case was DISMISSED on 16.04.2024. A copy of the court order published in website submitted here. Respondent without understanding the case, without proper evidence replied that Mr. Prabhakar has filed a case to reopen. In that case, Mr. Jeeva was only plaintiff.

7.12 The Appellant has stated that Mr. Prabhakar is not at all connected with this matter. Neither he is owner of the premises nor consumer of the connection. He is only third party. On what basis Respondent has accepted his letter and seeking for continuing the existing connection. Therefore, objection is not valid in law and his objection letters should not be taken as evidence

7.13 The Appellant has stated that there is dereliction of duties and responsibilities of the Respondent in the matter of connection given to Mr. Jeeva.

1. No proper application is obtained
2. No documentary evidence obtained for giving connection such as obtention of land documents and not ascertained approach to the road, pathway, etc.
3. During personal discussions with AE/EE at his office on 01.10.2024, EE has agreed that no document was obtained for giving connection.
4. NOC not obtained from the adjacent owner.
5. Earlier connection given in the year 2018 already disconnected as per the Petitioner's complaint and once again connection was given without going through existing objections
6. Necessary forms and declarations such as NOC from landlord, etc are not obtained as per Form as per Tamilnadu Electric Distribution Code.

7.14 The Appellant has further stated that the land is also belonging to the Government for which steps already taken with the Collector and other officials of Revenue authorities for cancellation of patta. Copy of letters are placed for verification. With these non-compliance and defects, Respondent prays for rejection of his appeal.

7.15 The Appellant has stated that by going through the letters and Counter Affidavit submitted by the respondent, there is clear cut violation of rules and regulations of TANGEDCO, there is collusion in giving connection. The connection was given without following the rules and regulations framed by TANGEDCO. Hence, he prayed to order for removal of Core cable passing through my premises and pole installed and connection extended to Mr. Jeeva.

7.16 Further, the Appellant has stated that the core cable is passing alongside of iron rod/framed installed on the compound wall. There is possibility of electrocution on both sides of iron rods. Safety of the patients/public visiting to the Scan centre are most important and essential in the present circumstance. Owner of the Naval scan centre has already objected orally to the AE/EE. Hence, it is not safe to continue the line in that place.

7.17 The Appellant has prayed to remove all the objectionable instruments in his premises, to compensate him for mental torture given for the past nearly about three years by the officials, to direct the concerned authorities to take disciplinary action against the erring officials for the connection given without following rules and regulations stipulated by TANGEDCO and to direct concerned authorities to take disciplinary action against the false affidavit submitted by the Respondent.

## **8.0 Findings of the Electricity Ombudsman:**

8.1 I have heard the arguments of both the Appellant and the Respondent. The discussion has been limited strictly to the subject matter relevant to this case. Based on the arguments presented and the documents submitted by both parties, the following conclusion is arrived.

8.2 The appellant argues that the LT line was passed through his premises without proper permission or obtaining a No Objection Certificate (NOC) at the time of granting an electrical connection to Mr. Jeeva (Consumer No. 254-254-1249). He claims to have raised objections on several occasions, both verbally and in writing, starting in December 2021, but despite his repeated complaints and reminders, the

authorities proceeded with the installation of a pole and service wire through his property.

8.3 The appellant contends that the connection was provided without following the necessary procedures, including obtaining the required land documents and NOC from the adjacent property owner. He further highlights that the service wire passes dangerously close to an iron rod installed on the compound wall, creating a risk of electrocution, particularly for people visiting the nearby scan center. He also alleges that the TANGEDCO officials provided false information in their affidavits and delayed responding to his RTI requests, showing negligence and collusion in giving the connection.

8.4 Additionally, the appellant claims that the earlier connection granted in 2018 had already been disconnected following his complaint, yet the authorities allowed the reconnection without addressing his prior objections. He believes that the connection was given in violation of TANGEDCO's rules and regulations and requests the removal of the objectionable core cable and pole. Furthermore, he demands compensation for the mental anguish caused over the past three years, along with disciplinary action against the responsible officials for failing to adhere to the regulatory requirements and submitting false affidavits.

8.5 The Respondent's counterargument is that the petitioner, Thiru. K. V. Sekar, raised an objection regarding the removal of electrical poles and service wires passing through his property. The Respondent clarified that the poles were erected in a public space with adequate safety clearance and did not interfere with the petitioner or the public. Upon inspection, it was noted that the service cable in question was laid on an adjacent house's compound wall without affecting the petitioner.

8.6 The Respondent further argued that according to TNERC Rule 29(6), the licensee is allowed to use a consumer's infrastructure, such as poles and lines, to extend electricity supply to other consumers, provided it does not affect the primary

consumer's service. Since the petitioner's services are not compromised, his objection is not valid under the rule.

8.7 The Respondent also mentioned that if the petitioner insists on relocating the service wire, they can submit a request for shifting, which will be considered subject to technical feasibility. Moreover, the site inspection by the officials confirmed that the pole in question had already been removed, and the wire is now passing through a neighbor's property with their consent. Therefore, the Respondent prayed for the dismissal of the petitioner's request for removal of the service wire, as the objection was not pursued with reasonable diligence.

8.8 In this context, I would like to refer the regulation 29(6) in TNERC Distribution Code which is reproduced below;

*“(29) Service Lines:*

*XXX*

*XXX*

*(6) The Consumer shall permit the Licensee to install all requisite equipments such as Transformers, switchgears, meters, etc., and to lay necessary cables or overhead lines and to provide connections thereto on the consumer's premises and shall also permit the Licensee to extend supply to other consumers through the cables, lines and equipments installed in the consumer's premises, provided that supply to the consumer in the opinion of the Engineer is not thereby unduly affected.”*

The above regulation clearly states that a consumer must allow the Licensee (electricity provider) to install essential equipment such as transformers, switchgears, meters, and necessary cables or overhead lines on their premises. Furthermore, the consumer must also permit the Licensee to extend the electricity supply to other consumers through the installed cables, lines, and equipment on their premises, provided that the supply to the primary consumer is not unduly affected, as determined by the Engineer.

8.9 Based on the arguments and counter-arguments from both sides, the core issue revolves around the service wire supplying electricity to Mr. Jeeva's service connection, which the appellant claims traverses his premises. However, upon examination, it is revealed that the two-core insulated service wire is laid along the adjacent building's compound wall and does not physically pass through the

appellant's property. As per TNERC Regulation 29(6), the licensee is entitled to extend supply from an existing consumer's premises to other consumers, provided the supply to the existing consumer is not disturbed.

8.10 In actual condition, the service wire, which is the basis for extending supply to the premises of Mr. Jeeva, is a completely insulated two-core cable that was erected on the adjacent premises' compound wall arrangement. The insulated service wire providing electricity to Mr. Jeeva's premises is safely positioned and does not encroach on the appellant's property. Therefore, the respondent has acted within their rights, and there is no legitimate claim by the appellant regarding the service wire on his premises.

8.11 The appellant seems to be using this grievance appeal to settle a property dispute with the neighbouring consumer, who is legally receiving electricity for his daily needs. Therefore, the appellant's petition to direct the respondent to remove the service connection wire is without merit and is hereby rejected. The respondent's actions are in accordance with regulatory provisions, and the appellant's prayer does not warrant further consideration.

## **9.0 Conclusion:**

9.1 Based on the above findings, the appellant's claim to remove the service wire of the neighbour, which has been laid with all necessary safety clearances and does not cause any disturbance to him, is not valid and is therefore rejected.

9.2 With the above findings A.P.No.60 of 2024 is finally disposed of by the Electricity Ombudsman. No Costs.

**(N.Kannan)**  
Electricity Ombudsman

“நுகர்வோர் இல்லையேல், நிறுவனம் இல்லை”  
“No Consumer, No Utility”

To  
1. Thiru K.V.Sekar,  
Plot No.120A, 4<sup>th</sup> Cross, Chandran Nagar,  
Chrompet, Chennai – 600 044.

2. The Executive Engineer/O&M/Pallavaram,  
Chennai Electricity Distribution Circle/South-II,  
TANGEDCO,  
110/33-11 KV Pallavaram SS complex,  
Chennai-600 043.

3. The Superintending Engineer,  
Chennai Electricity Distribution Circle/South-II,  
TANGEDCO,  
110KV SS Complex, K.K.Nagar,  
Chennai-600 078.

- By Email

4. The Chairman & Managing Director,  
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– By Email

5. The Secretary,  
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– By Email

6. The Assistant Director (Computer)  
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