



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. 65 of 2024**

Tmt. S. Manimekalai,  
'D' Block, S-17, TNHB Complex,  
Luz Golden Enclave, No. 4/180,  
Luz Church Road, Mylapore, Chennai – 600 014.

. . . . . Appellant  
(Rep. by Thiru R.S.Shrinivasan)

Vs.

1. The Executive Engineer/O&M/Mylapore,  
Chennai Electricity Distribution Circle/Central,  
TANGEDCO,  
M.G.R Salai, 110KV, 33KV, 11KV Valluvar kottam SS Campus,  
3rd floor, Nungambakkam, Chennai-600034.

2. The Assistant Executive Engineer/O&M/ Mylapore,  
Chennai Electricity Distribution Circle/Central,  
TANGEDCO,  
No.85,86,Dr.Radha Krishnan Salai,  
Mylapore, Chennai- 600004.

3. The Assistant Engineer/O&M/ Luz,  
Chennai Electricity Distribution Circle/Central,  
TANGEDCO,  
269, Canal Bank Road, Luz Corner, Chennai-600004.

4. The Deputy Financial Controller,  
Chennai Electricity Distribution Circle/Central,  
TANGEDCO,  
M.G.R Salai/110KV/33KV/11KV,  
Valluvar kottam SS Campus,  
Nungambakkam, Chennai-600034.

. . . . Respondents  
(Thiru V.S. Udhayakumar, EE/O&M/Mylapore  
Thiru R.Arputhavalli, AEE/O&M/Mylapore,  
Thiru K. Srinivasan, AE/O&M/Luz  
Thiru S.Parthiban, DFC/CEDC/Central)

**Petition Received on: 02-09-2024**

**Date of hearing: 16-10-2024**

**Hearing postponed & Scheduled  
on: 25-10-2024**

**Date of order: 04-11-2024**

The Appeal Petition received on 02.09.2024, filed by Tmt. S. Manimekalai, 'D' Block, S-17, TNHB Complex, Luz Golden Enclave, No. 4/180, Luz Church Road, Mylapore, Chennai – 600 014 was registered as Appeal Petition No. 65 of 2024. The above appeal petition was scheduled to hear on 16.10.2024. But it was postponed and rescheduled on 25.10.2024. 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 not to merge the two service Connection Nos. 128-001-1124 and 128-001-1185.

**2.0 Brief History of the case:**

2.1 The Appellant has requested the respondent not to merge the two service Connection Nos. 128-001-1124 and 128-001-1185.

2.2 The Respondent has stated that the Appellant's premises was inspected by AE/O&M/Luz and it was found that flat No.S11 & S17 are interlinked internally and since there was no physical segregation they are liable to be merged.

2.3 Hence the Appellant has filed a petition with the CGRF of Chennai EDC/Central on 15.09.2023 to avoid merging of two service connections.

2.4 The CGRF of Chennai EDC/Central has issued an order dated 20.03.2024. 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 Electricity Distribution Circle Central issued its order on 20.03.2024. The relevant portion of the order is extracted below: -

**“Order:**

*Based on the representations of the consumer and reports furnished by the Licensee, the forum directs the following:*

*If the petitioner wants to avoid any action of merging the service connections of the said two individual flats by the licensee, there shall be electrical as well as physical segregation between the two flats as per TNERC regulations 27 of Distribution code and as such there shall not be any passage between the flats.*

*With the above direction the petition is disposed off”.*

### **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 16.10.2024. It was postponed and conducted in person on 25.10.2024.

4.2 On behalf of the Appellant Thiru R.S.Shrinivasan attended the hearing and put forth his arguments.

4.3 The Respondents Thiru V.S. Udhayakumar, EE/O&M/Mylapore, Tmt. R.Arputhavalli, AEE/O&M/Mylapore, Thiru K. Srinivasan, AE/O&M/Luz and Thiru S.Parthiban, DFC/CEDC/Central of Chennai Electricity Distribution Circle/Central attended the hearing and put forth their 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 at the outset, the said decision received by him bears only the signature of the Chairman, CGRF, CEDC/ Central, TANGEDCO. The signature of Thiru M. Vekatakrishnan, Member- I, CGRF and Thiru G.N. Bharath

Ram, Member – II, CGRF are missing and the intended place is left blank leaving it open for the apprehension that there should have been split opinion and the members would not be in favour of the decision communicated. If that is the case, then the decision communicated would become questionable and truncated.

5.2 The Appellant has stated that another important point that needs consideration is that the entire issue is based on pseudonymous petition in the name of one Thiru Anthony Raj, who has no connection with the address mentioned in the petition. On a thorough enquiry, it is understood the entire issue is the foul play of some unwanted element. Please take note of the fact that the real incumbent, Mr. Tushar Chowdary, HEMS & NEPHEWS Exports Pvt. Ltd., Merchant Exporter, Shop No. 22, Luz Golden Enclave Commercial Complex has flatly refused of having raised any issue and has also categorically stated that there is no one in the name of Thiru Anthony Raj in his employment or other capacity in this address. Therefore, it becomes clear that this is a well orchestrated exercise by some unwanted element.

5.3 The Appellant has stated that on the factual side, he once again reiterated the fact that the said opening between two different properties is only an emergency arrangements to help the senior citizens (herself and her husband aged more than 70 years) and is no way constitutes a single unit. Both the said flats have individual identification like separate house tax bills, separate water tax bills, separate kitchen, separate maintenance bills, etc. Both the flats have separate electricity service connection and there is no interlinking of the electrical provisions between the two flats.

5.4 The Appellant has further stated that the said instructions of the TNEB are for new lines application and mine is an existing connection which is in a way connected to the adjacent flat. Both the units are separate for all practical purposes except for the arrangement made for the emergency assistance of senior citizens, i.e. herself and her husband. Therefore, the intended action to intertwine the service connections of two different units, which too based on the strength of a

pseudonymous petition, may please be set aside and justice rendered.

**6.0 Arguments of the Respondent:**

6.1 The Respondent has stated that two Electrical Service Connections in S.C. No. 128-001-1124 and S.C.No. 128-001-1185 was provided for Door.No.S17 in the name of Thiru.Vivekanandan and S.Manimegalai and for Door No. 11 in the name of S.Manimegalai were provided.

6.2 The Respondent has stated that on 23.03.2023, they received a complaint from one A. Antony Raj alleging that the above said persons are misusing the connection by having a common passage between the segregated door numbers. Hence, they conducted an inspection on 22.06.2023 during which it was found that, the common passage between the said two flats was found to have been destructed by the said persons and a common passage was made interlinking the two flats.

6.3 The Respondent has stated that a notice was issued to the Appellant herein on 04.09.2023 to merge the two Connections. Pursuant to the same the Appellant herein filed a Petition before the Consumer Grievance Redressal Forum requesting not to merge the service connections.

6.4 The Respondent has stated that the Petition filed by the Appellant was rightfully dismissed by the Forum on the ground that the two service connections were provided on the ground that there were physical segregations between the two flats and by the act of the appellant in destructing the wall segregating the same and by creating a common passage, the fact of physical segregation has been violated and hence the physical segregation provided under TNERC Regulation 27 (13) to (15) of Distribution Code has been violated and by recording the same, the Petition was dismissed by its Order dated 29.11.2023.

6.5 The Respondent has stated that the Appellant herein has admitted in her appeal petition that there exists a common passage between the alleged two flats and thus, in accordance with the Regulations there should be a physical

segregation which has been violated by the Appellant herein and hence the service connections has to be merged.

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

7.1 I have heard the arguments of both the Appellant and the Respondent. Based on the arguments and the documents submitted by them, the following conclusion is arrived.

7.2 The Appellant has reiterated that the connection between two different properties, which is the central issue in this case, is merely an emergency arrangement to assist the elderly occupants—herself and her husband, both of whom are over 70 years old. She emphasizes that this temporary opening between the two properties does not constitute a single unit for legal or electrical purposes. Both flats maintain completely separate identities, with individual property documents such as separate house tax bills, separate water tax bills, individual kitchens, and separate maintenance bills.

7.3 Moreover, both flats are connected to separate electricity service connections, and there is no interlinking of electrical infrastructure between the two units. The appellant argues that the existence of this emergency access should not be used to justify any changes to the current service connections, as the two flats remain independent entities in all practical aspects. The Appellant further contends that the instructions being referred to by TNEB regarding electrical connections pertain to new line applications, and do not apply to her situation, which involves an already existing connection. She stresses that her electricity connection is in no way linked to the adjacent flat, as both units have always been treated as separate for all practical and legal purposes.

7.4 On the factual side, the appellant argues that the opening between two flats is solely an emergency arrangement for senior citizens and does not make them a single unit. Both flats have separate identification and individual electricity service connections. The appellant asserts that the electricity connections are separate, and the situation does not warrant any action based on the pseudonymous petition.

Therefore, the appellant requests that the action taken based on this petition be dismissed.

7.5 The Respondent contends that two separate electrical service connections, S.C. No. 128-001-1124 and S.C. No. 128-001-1185, were initially provided for two different door numbers: Door No. S17 in the name of Thiru. Vivekanandan and S. Manimegalai, and Door No. S11 in the name of S. Manimegalai. However, on receiving a complaint from an individual named A. Antony Raj on 23.03.2023, alleging that the two service connections were being misused by creating a common passage between the two previously segregated flats, and it was found noticed by the Respondent along with Enforcement wing by joint inspection on 22.06.2023.

7.6 During the inspection, it was found that the appellant had destroyed the physical wall separating the two flats and created a common passage, which effectively interlinked the two units. As a result, a notice was issued to the appellant on 04.09.2023, instructing them to merge the two service connections, as this action violated the physical segregation requirement. The Appellant responded by filing a petition before the Consumer Grievance Redressal Forum (CGRF), requesting not to merge the service connections. However, the CGRF dismissed the petition on the grounds that the physical segregation between the two flats, which had been a precondition for granting separate service connections, had been compromised by the appellant's actions.

7.7 The Respondent further cites that the TNERC Regulation 27 (13) to (15) of the Distribution Code requires physical separation for separate service connections. Since the appellant had violated this regulation by creating a common passage, the connections should be merged. Additionally, the Respondent points out that the Appellant has admitted in her appeal petition that a common passage exists between the two flats. Therefore, the physical segregation has indeed been violated, justifying the need for the merger of the service connections.

7.8 In this context, I would like to refer regulation 27 Requisitions for supply of Energy under sub regulations 14 & 15 of TNERC Distribution Code which is reproduced below:

*“27. Requisitions for supply of energy*

*xxx*

*xxx*

*(14) Where more than one person or more than one establishment is or intended to be in occupation of a door number or sub door number, more than one service connection will be given only if there is a permanent physical/electrical segregation of areas for which different service connections are applied for,*

*(15) In case of flat system and shopping complexes where more than one flat or shops are located, with permanent physical segregation more than one service shall be given,*

*(15A) Notwithstanding anything contained in sub-regulations (14) and (15), a person or an establishment or an entity shall be given only one service connection in a premises or in contiguous premises to run a business or service or occupation or another form of activity including its associated activities and for activities of the associates even if there is a permanent physical segregation.”*

7.9 The TNERC Distribution Code Regulation 27 outlines specific conditions for providing multiple service connections within a single premises or contiguous premises. According to Sub-Regulation 14, more than one service connection can be provided if there is a permanent physical or electrical segregation between areas occupied by different persons or establishments under the same door number or sub-door number. Sub-Regulation 15 extends this to flat systems and shopping complexes, where separate units, such as flats or shops, are physically segregated. In such cases, multiple service connections can be granted. However, Sub-Regulation 15A clarifies that, regardless of physical segregation, only one service connection will be allowed per premises for an establishment, business, or entity, including its associated activities, even if there is a permanent segregation between areas.

7.10 During the hearing, the appellant acknowledged that there was no physical segregation between the two flats. Furthermore, it is evident that the enforcement wing of the licensee has inspected the site and confirmed that the two flats were internally interconnected. As a result, the enforcement team recommended that appropriate action be taken to merge the two service connections. Based on this, the AE/O&M/LUZ issued a notice to the appellant to proceed with the merger of the two service connections.

7.11 In conclusion, the core issue stems from the violation of TNERC regulations regarding the physical segregation of premises in relation to multiple service



connections. The appellant has admitted that there is no physical segregation between the two flats (S11 & S17), effectively making them a single usage premises under her control. This arrangement, where the two flats are used as a single unit for daily purposes, violates TNERC Distribution Code Regulation 27. Additionally, the Government of Tamil Nadu provides subsidies to domestic consumers, including 100 free units and further concessions based on usage slabs and hence extending two separate service connection in the case on hand leads revenue loss to Licensee/Govt. of Tamilnadu.

7.12 The inspection conducted by the licensee's enforcement wing further confirms the interlinking of the two flats. Given these findings and the regulatory framework, the appellant's claim to maintain two separate service connections for the merged flats for daily usage is not valid. The respondent's decision to merge the two service connections aligns with regulatory requirements, and thus, the appellant's request is rejected. However, it is noted that although the enforcement wing identified the interlinking on 22-06-2023, the notice to the appellant was issued belatedly on 04-09-2023, indicating a delay in taking timely action. Further, it is to be noted that this delay in the merger process has caused potential loss to the licensee.

## **8.0 Conclusion:**

8.1 Based on these findings and the regulations, the respondent's decision to merge the service connections is valid, and the appellant's request to maintain two separate connections is rejected.

8.2 With the above findings A.P.No.65 of 2024 is disposed of by the Electricity Ombudsman.

**(N. Kannan)**  
Electricity Ombudsman

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

To  
1. Tmt. S. Manimekalai,  
'D' Block, S-17, TNHB Complex,  
Luz Golden Enclave, No. 4/180,  
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- By RPAD

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TANGEDCO,  
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Valluvar kottam SS Campus, Nungambakkam, Chennai-600034.

6. The Superintending Engineer, - By Email  
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TANGEDCO,  
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7. The Chairman & Managing Director, - By Email  
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