



TAMIL NADU ELECTRICITY OMBUDSMAN

19- A, Rukmini Lakshmipathy Salai, (Marshal Road),
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Present : Thiru A. Dharmaraj, Electricity Ombudsman

Appeal Petition No.43 of 2015

Thiru. C. Albert Victor Raj,
No.46, VIP Nagar (Extension),
Kondur Post,
Cuddalore 607 006.

... Appellant
(Rep. by C.A. Dass, Advocate)

Vs

The Chairman,
(Superintending Engineer),
Consumer Grievance Redressal Forum,
Cuddalore Electricity Distribution Circle,
TANGEDCO
Capper Hills, Cuddalore

... Respondent
(Rep by Thiru. G. Kamaraj, EE/O&M/Cuddalore)

Date of hearing : 15.9.2015

Date of Order : 16-09-2015

1. The petition dt.8.5.2015 filed by Thiru. C. Albert Victor Raj, VIP Nagar (Extension), Kondur was registered as Appeal Petition No.43 of 2015.
2. The Appellant informed that he has filed a petition before the CGRF of Cuddalore EDC on 23.1.2015 and proceedings were held on 20.2.2015, 26.2.2015, 6.3.2015 and 10.3.2015 but the order has not been pronounced. Hence, the Appellant prayed to cause an inquiry and order pronouncement of award.
3. The Respondent in his counter dt.27.7.2015 informed that the judgment of the case No.57/2015 issued by the CGRF of Cuddalore EDC was already sent to the Appellant and also furnished a copy of the above order dt.18.6.2015 to the Electricity Ombudsman for reference.

4. To enable the Appellant and the Respondent to put forth their arguments in person a hearing was scheduled on 13.8.2015. On the behalf of Respondent Thiru. G. Kamaraj, EE/O&M/Cuddalore has attended the hearing. The Appellant has not attended the hearing but informed that he was not able to attend the hearing on 13.8.2015 due to refusal of leave by the correspondent of the School where he is working as a Teacher and prayed that his non appearance may be condoned and next hearing may be fixed vide his letter dt.17.8.2015.

5. Accordingly, a hearing was conducted on 15.9.2015. The Appellant was represented by Thiru. C.A. Dass, Advocate and the Respondent was represented by Thiru. G. Kamaraj, Executive Engineer/O&M/Cuddalore.

6. The learned advocate representing the Appellant informed that though the CGRF has issued its order, the Appellant is aggrieved by the order of the CGRF and hence, his petition filed 8.5.2015 shall be treated as an appeal petition against the order dt.18.6.2015 of the CGRF of Cuddalore EDC.

7. The Respondent's representative, Thiru. G. Kamaraj, Executive Engineer/O&M/Cuddalore, argued that the prayer of the Appellant in the petition was pronouncement of CGRF order only and it was already met by the CGRF. Hence, he argued that the petition may be dismissed.

8. The learned advocate agreed that the prayer of the Appellant in petition dt.8.5.2015 to order pronouncement of award is met as the CGRF has pronounced its order. But, the Appellant is not satisfied with the orders of the CGRF. Hence, he argued to treat the above petition as an appeal petition. However, he agreed to close the petition as the prayer of the petition was already fulfilled but argued that he may file a fresh appeal petition with condonation of delay as the Appellant is aggrieved by the order of the CGRF.

9. As the Appellant's petition was filed before the Electricity Ombudsman on 8.5.2015 and the order of CGRF of Cuddalore Electricity Distribution Circle was issued at a later date on 18.6.2015, I am of the opinion that the petition dt.8.5.2015 of the Appellant cannot be treated as an appeal petition for the order of CGRF of Cuddalore EDC dt.18.6.2015.

10. As the Appellant's prayer of order of pronouncement of CGRF order is fulfilled and in view of the reason furnished in para 9, I am in agreement with the argument of the appellant that the petition is to be dismissed as the prayer is already met. Hence, the A.P.No.43 of 2015 is treated as closed. No Costs.

(A. Dharmaraj)
Electricity Ombudsman

To

1) Thiru. C. Albert Victor Raj,
No.46, VIP Nagar (Extension),
Kondur Post,
Cuddalore 607 006.

2) The Chairman,
(Superintending Engineer),
Consumer Grievance Redressal Forum,
Cuddalore Electricity Distribution Circle,
TANGEDCO
Capper Hills, Cuddalore

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

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

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