

THE STATE ELECTRICITY OMBUDSMAN

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**Appeal Petition No. P/048/2025
(Present A. Chandrakumaran Nair)
Dated: 16-09-2025**

Appellant : Shri. R Sujith Chandran
Sarovaram, Kadakulam,
Plamoottukada P.O,
Neyyattinkara, Thiruvananthapuram dt.

Respondent : The Assistant Executive Engineer
Electrical Sub Division
KSE Board Ltd., Parasala,
Thiruvananthapuram dt.

ORDER

Background of the case

The appellant Shri. Sujith Chandran is the owner of 24 cents of land property in Mooverikkara which was purchased in the year 2016. There is a line passing through this property which was drawn during 1992 to give electric connection to Mr. Stephen whose consumer number is 1146676000718. There was no alignment change of this connection for the last 10 years. A road widening work initiated by PWD during November 2024 for the road in front of the appellant's property. The pole in front of Shri. Sujith Chandran was shifted towards the side of the road as a deposit work for which the amount was deposited by PWD. The demand of the appellant is to shift the existing HT/LT pole for some distance away from the existing location so that the service wire will not cross his property. The Licensee has prepared an estimate for shifting the service wire away from this property for Rs. 8000/-. The appellants request is to shift the wire from his property at the cost of Licensee. The petition was filed to CGRF and CGRF issued order dated 26/06/2025 on completing the procedure stating that the work is to

be executed on depositing the amount. Aggrieved with the order of CGRF this appeal petition is filed to this Authority.

Arguments of the Appellant

I am the owner of 24 cents of property in Mooverikkara which was purchased in the year 2016. On 2019 an electrical service line is seen drawn through the middle of the property to the house of a customer of KSEB named Stephen. On seeing this line I informed the KSEB Kunnathukal office that this line is causing hindrance in my property for the entry of vehicles inside and also for the construction of building. They replied that it is only a temporary arrangements and in the next work they will draw the line property from the road directly to the house of the customer. Since I am not taking electricity in that locality I have no need of this line and the KSEB can directly take the line to house of customer which is situated in the road side. Even though may electrical work has taken place they did not do this work. I am residing about 15 k.m. away from this property.

On 15/11/24 I got information that due to road widening all the posts in that area is going to be changed and line is Redrawn. I informed the 1st Respondent Asst. Engineer that I have not given consents for this electrical line so the line shall not be drawn through my property. She told me that I have to give a written request then only they can make necessary changes. So on 18/11/24 I gave a written request. There after a KSEB official inspected my property and he told me that this line is drawn erroneously and they will immediately remove it and give it directly from road to the customer's houses.

Surprisingly on 21/11/2024 1st Respondent gave a reply stating that I have to pay Rs. 8050/- then only they will draw the line property. She also says that those who give request have to pay the amount. Actually it is based on her demand I gave the request and after that showing this kind of gimmicks is not expected from a Govt. Employee. On 23/11/2024 I gave a written request to the 2nd Respondent Executive Engineer. He made certain inspections and gave a reply similar to that of Respondent (1). Both these officials failed to make a personal visit and acted in an illegal manner.

There is clear negligence on the part of these two officials. In the reply it is stated that the line is drawn in 1992. This is wrong, when the current connection is given is not the question, but on which date it is altered through the middle of my property is in question. This was done in 2019. No consent is obtained from me or the previous owner for drawing this line and it is a matter of common sense that no owner will allow the line to be drawn through middle of his property. This is a clear violation of Electricity laws. After doing an illegal act seeking money to move the illegality is clearly erroneous. It is stated that there is no technical problem in giving the service line directly. It is the duty of KSEB officials to draw the line properly.

So there is dereliction of duty on the part of these two officials. Moreover on 24/11/2024 they have changed all posts and new post were installed again the lines were Redrawn in utter disregard of my letter stating that no consent is given.

There after I gave a complaint before the Dy Chief Engineer Kattakada without hearing my side he obtained report from the respondents and gave a reply identical to that of the respondents. Thereafter I approached the OP Consumer Grievance Redressal Forum, Kottarakkara. On their order No.94/2024-25 they have failed to take action against the KSEB officials.

The order of CGRF Kottarakkara is highly illegal and erroneous. They failed to see the difficulties caused to me and they repeated the same matters as stated by the KSEB officials without applying their mind. It is the duty of KSEB to draw the line in the proper direction. Without doing it they seek money from me is highly unjustified. It is due to the failure of KSEB officials to draw line through the shortest path they have drawn it from a distant post, which has caused all these difficulties

These actions of KSEB officials have caused great hardships to me. My attempt to construct a building in that property is obstructed for the last 5 years. I am unable to take big vehicles inside the property due to this service wire. This has caused huge loss to me. I am entitled to get compensation of Rs. 2 Lakhs from these KSEB officials and Management.

So the important question to be decided in this case is that whether I have to pay Rs. 8050/- for removing this line. Since I am not taking current in that locality asking me to pay the amount is highly illegal. It is the duty of the KSEB to draw the line in the proper direction. KSEB customer Stephan's house is in the road side without giving connection directly from the road they have taken the line from a distant post by crossing my property without my consent. To cover up their illegal act they are coming up with false claims. Hence I request that this Hon' ble KSEB officials to remove the line from Forum may kindly take steps to ensure my property and draw it in the proper direction. Further steps may be taken for granting me the compensation for the difficulties and losses caused by the negligence of the Respondent officials.

Arguments of the Respondent

The argument raised the by the petitioner is totally wrong. The service wire drawn through the corner of Sri. R. Sujith Chandran's (Petitioner's) property was drawn on many years back, for providing electricity connection to Mr. Stephen's house (neighbour) with consumer number 1146676000718. As per office records, the date of connection of above service connection is on 01/10/1992 and there was no alignment change of service wire done for the last 10 years. In the above service connection, only two services are done,

named as "Section initiated meter change" on 5/12/2021 and "Temporary extension" on 04/03/2022. No other services are done in the above connection. Also there is no path way for entering vehicles in the property of the petitioner, and his property is thickly vegetated with raw herbs.

During November 2024 a road widening work was done on the road in front of Mr. Sujith Chandran's property. In connection with the road widening work, based on the request received from PWD for shifting the pole in front of Mr. Sujith Chandran's property, the pole was shifted to the side of the road as deposit work. The work was done after the remittance of estimate amount by PWD. Mr. Sujith Chandran's demand was to shift the existing HT/LT pole to some distance away from the existing location, so as to move the service wire to outside his property, in the expense of PWD fund. It is not technically possible and also it will become the misuse of public fund. Based on the request given by Mr. Sujith Chandran to the Assistant Engineer, Electrical Section, Kunnathukal, a written reply letter was given to Mr. Sujith Chandran by the Assistant Engineer, Electrical Section, Kunnathukal, accompanying the estimate for shifting the weather proof wire to outside of his property. A weather proof support post is required to change the weather proof alignment. The procedures done by Assistant Engineer, Electrical Section, Kunnathukal, was in order, based on the prevailing laws and orders in KSEBL.

During service connection provided to Mr. Stephen in 1992, consent was issued by the previous owner of Mr. Sujith Chandran's property during 1992. Mr. Sujith Chandran, had purchased this property on 2016. While purchasing the property the weather proof wire is in the same alignment across his property. As per the prevailing law's of KSEBL, weather proof wire alignment can be removed from the petitioner's property by providing a weather proof support post. As per the prevailing law's of KSEBL, the above shifting work can be done as deposit work scheme. In this scheme the applicant should pay the estimate amount. In this case Mr. Sujith Chandran refused to pay the estimate amount and he is playing gimmicks to execute his need as free of cost.

There is no negligence happened from KSEBL officials. The weather proof wire was drawn during 1992. No alteration of weather proof wire was done during 2019. During 24/11/2014 only post shifting work done as deposit work based on the remittance of estimate cost by PWD, in connection with the road widening work.

There is no path way inside the petitioner's property. Also there is no construction works presently doing in the petitioner's property. All these are the tactics of the petitioner to shift the weather proof wire as free of cost.

As per the prevailing laws in KSEBL, the shifting of existing weather proof wire, in order to remove from the petitioner's property is technically possible by providing a weather proof support post in the road, in front of Mr. Stephen's house. In order to execute the work, the estimate amount should pay by the beneficiary.

Please be noted that the petitioner is not a consumer of KSEBL to raise such an OP in CGRF. Hence I humbly request this Hon'ble forum to convince / direct the petitioner to remit the estimate amount for shifting the weather proof wire.

Analysis and findings

The hearing of the case was conducted on 11/08/2025 at 03:00 p.m. in the KSEB IB Paruthippara, Thiruvananthapuram(Dist.). The hearing was attended by the appellant Sri. R.Sujith Chandran and the respondent Sri. Sajith M.B, Assistant Executive Engineer, Electrical Sub Division, Parasala, Thiruvananthapuram (DT).

The petition of the appellant is for shifting of a service wire passing through his property. This 24 cents property was purchased by Shri. Sujith Chandran during 2016. The service connection of Mr. Stephen whose house is in the neighbouring property of the appellant was existing for a long which was drawn during 10/1992 as per the profile submitted by the Licensee. The service wire for this connection was taken from the post situated at the beginning of this property boundary. The road width of appellants property is around 20 meters. As this weather proof service line for the single phase power supply was taken the post situated at one end of this property, this line is passing above this particular property. The property is purchased by the appellant by seeing the line.

During November 2024 the road infront of this property is widened by the PWD. The PWD has requested to shift the posts for widening the road as deposit work which has been executed by the Licensee. The HT as well as LT lines were passing through the posts. The demand of the appellant is to shift the service line by shifting the posts. As this post is carrying HT and LT line, it is not technically feasible to shift this post to the other end of his property which is above 20 meters. The Licensee is ready to shift the service wire out from his property by providing a support post for this service wire. Then new alignment of the service wire will be above the road in front of his property. The Licensee estimated the cost of this shifting for Rs. 7750/- and asked the appellant to deposit this amount. The appellant was not willing to deposit this amount instead it is to be executed by the Licensee at their cost. The Kerala Electricity Supply Code 2014, regulation 95 states about the shifting of electric lines.

95. Procedure for shifting electric line or electrical plant of the licensee.-

(1) The owner of the land or his successor in interest who has given right of way for the construction of an existing electric line or electrical plant over, under, along, across, in or upon the said land, may apply for shifting the electric line or electrical plant to any other portion of his land for genuine purposes.

(2) The application for shifting the electric line or electrical plant shall be submitted in the local office of the licensee.

(3) On receipt of the application the licensee shall inspect the site and assess the technical feasibility of the proposed shifting.

(4) The application for shifting an electric line or electrical plant shall be granted only if:-

- (a) the proposed shifting is technically feasible; and*
- (b) the owner of the land or his successor in interest gives consent in writing to shift the electric line or electrical plant to any other portion of his land or to any other land owned by him; or any alternate right of way along any public path way available for shifting the electric line and the electrical plant; and*
- (c) the applicant shall remit the labour charges and material charges required for shifting the electric line or electric plant as estimated by the licensee as per the cost data approved by the Commission from time to time in accordance with the Regulation 33 of the Kerala Electricity Supply Code, 2014.*

This service line is to be shifted for the benefit of the appellant, Then the beneficiary has to meet the expenditure of alteration /shifting of the line. This particular property had purchased while the line was passing through the property. The price of the land also would have been fixed accordingly. There is no records about the argument of appellant that the line was drawn during 2019. There is no post existing in the road in front of Mr. Stephen's property. The weather proof service wire could be shifted to above the road by providing a weather proof support pole. This will be the suitable solution and also beneficial to the appellant. By depositing the estimate amount the long lasting problem will be resolved.

Decision

On verifying the documents submitted and hearing both the petitioner and respondent and also from the analysis as mentioned above, the following decision are hereby taken.

- 1.** Appellant is liable to pay the estimated amount for shifting the line.
- 2.** The Licensee shall shift the service wire on receiving the deposit amount from the appellant.
- 3.** No Other Costs ordered.

ELECTRICITY OMBUDSMAN

No. P/048/2025/ dated: 16/09/2025.

Delivered to:

1. Shri. R.Sujith Chandran, Sarovaram, Kadakulam, Palmoottukada P.O, Neyyattinkara, Thiruvananthapuram dt.
2. The Assistant Executive Engineer, Electrical Sub Division, KSEB Ltd,Parasala, Thiruvananthapuram dt.

Copy to:

1. The Secretary, Kerala State Electricity Regulatory Commission, KPFC Bhavanam, Vellayambalam, Thiruvananthapuram-10.
2. The Secretary, KSE Board Limited, Vydhyuthi bhavanam, Pattom, Thiruvananthapuram-4.
3. The Chairperson, Consumer Grievance Redressal Forum, 2nd Floor Vydyuthi Bhavanam, KSE Board, Kottarakkara - 691506.