

THE STATE ELECTRICITY OMBUDSMAN

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**Appeal Petition No. P/024/2026
(Present A. Chandrakumaran Nair)
Dated: 22-06-2026**

Appellant : Smt. Sreedevi
Madakappillil House
B.K Puram P.O, Venkida
Thiruvaniyoor
Ernakulam (dt) - 682308

Respondent : The Assistant Executive Engineer,
Electrical Sub Division,
KSE Board Limited,
Kalady, Ernakulam (Dist.)

ORDER

Background of the case

The appellant Smt. Sreedevi is a consumer of the Licensee of KSEBL and had a property measuring around 5 cents of land at Thuravoor. An LT electric line is passing through her property which affects the proper usage of the land. There is a public road in front of this property. The appellant had submitted application for shifting of this line from her property to the public road to the Thuravoor, Electrical Section. The Section officials inspected the site and as per the feasibility the estimate has been prepared and issued the demand notice. The appellant is not happy with the proposal of the Licensee and hence approached CGRF for redressing the grievance. The CGRF had considered the case as OP/98/2025-26 and issued order dated 27/03/2026 on completing the procedure. Aggrieved with the decision of the Order of the CGRF, this appeal petition is filed to this Authority.

Arguments of the Appellant

I, Sreedevi, am the owner of a property measuring approximately 5 cents situated at Thuravoor (Mooppan Kavala - Kumarakkulam Road), Ernakulam District. An electric post bearing No. T MS 22/1 is presently located inside my property, which is causing serious difficulty in utilizing the land effectively. As the property is small in extent, the presence of the post significantly affects its usability and value. I had initially submitted a written request to the KSEB Section Office, Thuravoor, during the period around August-September 2025, requesting shifting of the electric post outside my property. A copy of the same is not available, as it was submitted directly at the office.

Subsequently, I also sent an email to the concerned KSEB officials requesting appropriate action. However, no satisfactory solution was provided. As there was no response, I registered a grievance through the KSEB Web Self Service portal. Since the issue remained unresolved, I approached the Consumer Grievance Redressal Forum (CGRF), Ernakulam by submitting Form A. During the proceedings, KSEB conducted inspections and informed that the only technically feasible solution is to shift the post to the boundary of my property along with the installation of an additional support pole inside my land. I have clearly stated that I do not consent to this proposal, as it results in significant loss of usable land.

Considering the very small extent of my property (5 cents), the proposed solution would create a restricted area within the plot, making it difficult to plan and construct a residential building. The presence of both the main post and the support pole would require leaving a considerable portion of the land unused, thereby reducing the effective buildable area. Further, I had identified prospective buyers for the property, and two parties had come forward with token amounts. However, both withdrew after observing the electric post inside the property and the proposed shifting arrangement. This has caused financial difficulty, as I am unable to sell or effectively utilize the property. I had also suggested alternative options to KSEB to avoid placing any support structure inside my property. However, these were not accepted, and no alternate solution has been provided.

Thereafter, the CGRF, Ernakulam, issued Order OP No. 98/2025-26 dated 27-03-2026, upholding the proposal of KSEB. I am aggrieved by this decision, as it does not adequately consider the disproportionate impact on my small property. I respectfully submit that the proposed solution causes permanent loss of usable space and significantly affects the feasibility of residential construction. The impact is substantial in relation to the size of the property and is not limited to a minor portion.

In this regard, I am submitting this appeal before the Hon'ble Ombudsman, seeking appropriate relief.

Arguments of the Respondent

The petitioner Smt. Sreedevi submitted an application on 02-09-2025 for shift the LT 3-phase line passing through her property at Mooppan Kavala - Ittira Dairy Road, located between Post Nos. MS-22 and MS-22/3 (under Thuravoor Electrical Section, Mooppan Kavala - Ittira Dairy Road). Following this, the Sub Engineer inspected the site and explain the technically feasible route and prepared an estimate.

Site Observations:

1. The line currently passes through the applicant's property between posts MS-22 and MS-22/2.
2. Post MS-22/1 is currently situated inside her land.
3. The road in front of the property is narrow and has an 'S' shaped curve
4. Opposite this site, two houses are located with sheet-roofed structures extending up to their boundary walls.

To shift the line away from the center of the property, the following changes are proposed:

1. New Post (H): A new post must be installed at point H with a stay wire.
2. Post G (Formerly MS-22/1): The existing post in the property will be shifted to the boundary wall (Point G) with a strut support inside the applicant's land.
3. Post F (Formerly MS-22/2): Post MS-22/2 (Point B) will be moved to Point F with a stay wire fixed on the road.
4. Post Q: To maintain the alignment of the single-phase line (B-E), a new post must be installed at Point Q.
5. Service Connections: Connections currently from MS-22/2 will be shifted to Post H. A support post (P) will be required to ensure service wires do not cross over the owner's property.
6. Estimate: The total estimated cost for this work is Rs.61,692/-.

At the time of application, the Sub Engineer inspected the site and provided necessary instructions. The only technically feasible way to move post T/MS/22/1 is to shift it to the edge of the boundary within the same property. The applicant requested to move the post completely out of her

property to the opposite side of the road(Sketch-II). In opposite side two houses are located with sheet-roofed structures extending up to their boundary walls. This proposal not possible due to the site consist constraints providing stay, This matter has been explained to the applicant verbally. The consumer not satisfied this proposal and approached CGRF Ernakulam.

Counter arguments of the Appellant

I am the owner of a property measuring approximately 5 cents situated at Thuravoor (Mooppan Kavala Kumarakkulam Road), Ernakulam District. An electric post bearing No. T MS 22/1 is presently located inside my property. Due to the location of the post within the property, I have been facing serious practical difficulty in utilizing the land effectively. KSEB has proposed shifting the existing post from the middle portion of the property to the boundary area within the same property, along with installation of an additional support pole/strut structure. I respectfully submit that this proposal does not effectively resolve my grievance, as the proposed arrangement still places permanent supporting structures within my small property.

Since the property is only about 5 cents in extent, the proposed arrangement would create a restricted zone inside the land and substantially reduce the usable and buildable area available for residential construction. The issue is not limited to the location of a single pole, but also includes the permanent impact caused by the support structure and the associated clearance requirements. The proposed arrangement would adversely affect the feasibility of constructing a residential building in the property. As the land area is very limited, even a comparatively small structural intrusion causes disproportionate hardship and practical difficulty in planning and utilizing the property.

The issue has also caused financial hardship. Two prospective buyers had previously come forward to purchase the property and had expressed willingness to proceed with the transaction. However, both parties later withdrew after observing the electric post situated inside the property and the proposed shifting arrangement. Consequently, I have been unable to effectively utilize or sell the property. During the proceedings before CGRF and subsequent inspections, I had requested KSEB to explore alternative technically feasible arrangements that would minimize intrusion into the property. However, the proposal presently suggested by KSEB effectively places the entire burden of the solution on my small property.

I respectfully submit that the road in front of the property is a residential road with comparatively low-speed local traffic movement. Though KSEB has stated that the road contains an "S-shaped curve", I humbly submit that the practical hardship caused to my small property may kindly be given due consideration while evaluating the feasibility of alternate

arrangements. I further submit that the statement of KSEB describes the proposed arrangement as the "only technically feasible" solution. However, I respectfully request that the severe and permanent impact caused to a very small residential property may kindly be considered in a balanced manner while deciding the matter.

I therefore humbly request the Hon'ble Ombudsman to kindly consider the disproportionate hardship caused to my small property and direct KSEB to adopt an alternate technically feasible arrangement that avoids installation of additional support structures within my property to the maximum extent possible.

Analysis and findings

The hearing of this appeal petition was conducted on 15/06/2026 at 11:00 a.m. in the O/o State Electricity Ombudsman, D.H Road, Ernakulam dt. The hearing was attended by the appellant Smt. Sreedevi and his son Sri.Akhil M.A and the respondent Sri.C.K Anandan, Assistant Executive Engineer, Electrical Sub Division, Kalady, Ernakulam (Dist.)

The appellant is having a 5 cent land property at Thuravoor by the side of Mooppan Kavala Kumarakkulam Road in Ernakulam district. This location is under the Electrical Section, Thuravoor under the jurisdiction of Electrical Sub Division, Kalady. The appellant got this property from her ancestors. There is a LT three phase line passing through this property and service line drawn to a consumer near to her property is also crossing this land. The appellant had submitted the application to shift this line from her property to the public road to the Assistant Engineer, Thuravoor Section. The officials of the Licensee inspected site and examine the feasibility. The public road in front of the property is not very wide road and also having an S curve in front of this property. Accordingly the Licensee had prepared an estimate amounting to Rs.61,692/-. The estimate include the supply and installation of two 8m concrete poles, shifting of two 8m poles, supply and installation of One WP support pole and supply and installation of one stud pole. The estimate also includes the ACSR conductor, insulators, staywires, cross arms and the labour costs. In this proposal as there is a sharp curve in the road one post have to be installed in the boundary of the property with road and stud support is to be provided to avoid the overturning of this pole because of the bend in the line. The service line taken for the service connection to the neighbouring house could be shifted to next post and have to be supported with a pole and this line will move out of the appellant's property. The 3 phase line may slightly cross the corner of this property at the curved portion. This can be reduced to the maximum by providing two cross arms one over the other and drawing the line to one side of the post.

The argument of the appellant is that the stud is to be avoided from her property and the line is to be shifted to the other side of the road. The respondent stated that this is not possible as there are two houses near to each other and the stay wire of the post is to be placed on the front yard of the house. This will be objected by the owner of these houses. The regulation 95 of the Supply Code 2014 describes about the procedure for 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 through the web portal of the licensee.

Provided that, the time frame for shifting the electric line or electrical plant shall be as per the timeline specified in Regulation 85 of this Code.]

(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.]

(5) The licensee shall shift the electric line or electrical plant if the conditions specified in subregulation (4) are complied with by the applicant.

In the case in hand the stand of the appellant is that the line has to be totally moved out of her land, and the stud should be avoided. The technical options for the solution are (1) Shifting of line and posts as proposed by the Licensee. (2) Installing the post/ A type pole in a concrete pedestal/muffing to avoid over turning and to avoid stud/stay wire

(3) change the over head line to underground cable for around two span which is passing through her property. Whatever may be the proposal, the total cost is to be born by the appellatant.

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. The shifting of the line shall be executed adopting any one of the following suggestion
 - a) As per the proposal of the Licensee by providing a stud support for the post 'G' as per the drawing.
 - b) Instead of post G with stud support erect a concrete pole/A type pole in a concrete pedestal/ muffing to avoid over turn.
 - c) Shift the over head line as under ground cable by side of the road for this two span (as per the drawing B to C to D)
2. The appellatant have to select a suitable option and confirm to the Licensee (Section office)
3. The Licensee shall revise the estimate as per the option and execute the work on depositing the amount as per the estimate by the appellatant.
4. In case of option (a) and (b) above the Licensee has to see that the line would be out of the property by drawing line in two tier formation.
5. The road cutting permission if required for the option © is to be obtained by the appellatant and Licensee together from the concerned authority.
6. No other costs approved.

ELECTRICITY OMBUDSMAN

No. P/024/2026/ dated: 22-06-2026.

Delivered to:

- 1) Smt. Sreedevi, Madakappillil House, B.K Puram P.O, Venkida,Thiruvaniyoor, Ernakulam (dt) - 682308
- 2) The Assistant Executive Engineer, Electrical Sub Division, KSE Board Limited, Kalady, Ernakulam 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, 220 kV substation compound, HMT Colony P.O, Kalamassery - 683503