



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. 59 of 2024**

Thiru K. Mathisekaran,  
Plot No.3, Sixth Cross, 11<sup>th</sup> Lane,  
Thendral Nagar East, Thirumullaivoyal,  
Chennai – 600 062.

.....Appellant  
(Thiru K. Mathisekaran)

Vs.

The Executive Engineer/O&M/Avadi,  
Chennai Electricity Distribution Circle/West,  
TANGEDCO,  
229, N.M Road, Avadi, Chennai-600054.

. . . . Respondent  
(Rep. by Thiru Ramakrishnan, AEE/O&M/Avadi)

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

**Date of hearing: 19-09-2024**

**Date of order: 03-10-2024**

The Appeal Petition received on 19.08.2024 filed by Thiru K. Mathisekaran, Plot No.3, Sixth Cross, 11<sup>th</sup> Lane, Thendral Nagar East, Thirumullaivoyal, Chennai – 600 062 was registered as Appeal Petition No. 59 of 2024. The above appeal petition came up for hearing before the Electricity Ombudsman on 19.09.2024. 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 adjust the amount paid for the additional load of 1 KW in service connection No.055-133-2466.

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

2.1 The Appellant has prayed to adjust the amount paid for the additional load of 1 KW in service connection No.055-133-2466 from 2 KW to 3 KW as he claimed that his service was effected with 3 KW during 2006.

2.2 The Respondent has stated that it was noticed that the service connection was effected with sanctioned load of 2 KW/3 phase on 20.01.2006. Now he had applied for additional load of 1 KW and paid the necessary charges.

2.3 In view of the dispute over the demand of the service connection, the Appellant has filed a petition with the Chennai Electricity Distribution Circle/West on 01.06.2024.

2.4 The CGRF of Chennai Electricity Distribution Circle/West has issued an order dated 22.07.2024. 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 Electricity Distribution Circle/West issued its order on 22.07.2024. The relevant portion of the order is extracted below: -

**“Order:**

*“As per the above findings, the request of the petitioner to adjust the amount paid for the additional load of 1 KW in service connection no.055-133-2466 is not feasible of compliance without any proof for having made payment for 3 KW load while getting new service connection during 2006.*

*With this, the petition is herewith disposed of.”*

#### **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 conducted on 19.09.2024 in person.

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

4.3 On behalf of the Respondents Thiru Ramakrishnan, AEE/O&M/Avadi of Chennai Electricity Distribution Circle/West 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 he has physically three Phase EB connection with three phase energy meter, from the date of Installation, where as invoice issued has mentioned as Single phase EB connections only, Kindly refer the enclosed, TANGEDCO Invoice No L406240219171251 dated 28.02.2024, where in it was clearly said Single phase connection which is contrary to physical availability. Which should have been human clerical error. Kindly arrange to examine and arrange for doing the needful.

5.2 The Appellant has stated that in the year 2000 that the minimum requirement of Maximum demand, for the three phase TNEB connection is 3000 Watts meaning to say that three phase 4 wire 240 Volts between phase and neutral for supply to a total connected Load (Maximum Demand) exceeding or equal to 3000 Watts. Since the given connections/available connections as on Feb 2024 is three phase EB connection that the maximum demand should have been more than or equal to 3000 Watts only. Hence the computer records, saying of maximum demand of 2000 Watts, should have been human clerical error only.

5.3 The Appellant has stated that this Maximum Demand is seems to be migrated now, from 3000 Watts to 4000 Watts for three Phase EB connection. The date of change over from 3000 Watts to 4000 Watts for three phase EB connections known to TANGEDCO only. TANGEDCO submits the relevant change over order the Ombudsman can witness the same for which that the TANGEDCO should be transparent without hiding any details and has to submit, as was, where was condition.

5.4 The Appellant has further stated that TANGEDCO itself sent a letter dated 24.05.2004 to CM cell against the CM grievance cell petition No TN/Energy7998938, saying that the necessary letter has been sent for adjusting the deposit amount of Rs 9335.00 in CC bill. This concludes the human error of TANGEDCO record.

5.5 The Appellant has stated that in the above scenario, it is crystal clear that the computer record of saying Single phase 2 KW maximum demand, should have been human error only against the actual of 3 phase EB connection with 3 KW of maximum demand.

5.6 The Appellant has stated that since the consumer is at receiving end and at no fault of consumer that the TANGEDCO should not penalize the consumer through pre defined terms and texts of TANGEDCO, Receipt No POCINB615707150 dated 11.03.2024 to hide the TANGEDCO's human errors, saying one or other reasons.

5.7 The Appellant has prayed to credit the paid amount of Rs.9335/- in CC bill account of relevant connection, from the revenue heading of Maximum Demand.

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

6.1 The Respondent has submitted that the service connection 055-133-2466 stands in the name of Thiru Mathisekaran under tariff LA1A with sanctioned load of 2KW and the petitioner represented that he has obtained three phase service connection during the year 2006 for which he has not provided with the receipt for

the amount paid. In order to avail solar service under PM Suryaghar scheme 3 KW load is required. Hence, the petitioner has applied for additional load of 1 KW in the existing service connection and obtained the solar service.

6.2 The Respondent has submitted that consumer ledger of service connection No.055-133-2466 was verified and it was found that it is a solar service connection stands in the name of Mathisekaran K, under tariff LA1A with load of 3 KW. Further, it was noticed that the service connection was effected on 20.01.2006 with sanctioned load of 2 KW/3 phase. In order to avail solar service connection, the petitioner has applied for additional load of 1 KW vide application no. 200090550324274 dt.11.03.2024 and paid the necessary charges vide receipt no. PGCINB615707159 dt. 11.03.2024, and load was changed from 2KW.

6.3 The Respondent has submitted that in response to the petition filed through CGRF by petitioner Thiru Mathisekaran replied that, as per our record, it is showing as 2 KW only. Generally as per the TNERC Regulations every service will be effected and receipt will be issued after the payment done and he had paid the necessary charges for 2KW only for the service connection No. 055-133-2466. If the petitioner produces the necessary documents for excess billing same amount will be adjusted in future.

6.4 The Respondent has submitted that on 21.06.2024 the CGRF hearing conducted order issued as follows, In this regard Regulation 3 (Categories of supply) of supply code is referred herewith and the extract of the same is reproduced below;

(1) Supply of electricity shall be availed by the consumer under the following categories:

a) Single-phase 2 wire 240 volts between phase and neutral for supply to a total connected load not exceeding 4000 watts (including power loads).

b) Three-phase 4 wire 415 volts between phases, and 240 volts between phase and neutral for supply to a total connected load exceeding 4000 Watts but not exceeding a demand of 150 KW.

c) The consumer may elect to avail supply under any one of the above categories where the connected load does not exceed 4000 watts.

6.5 The Respondent has submitted that the CGRF petition vide Petition No. CGRF/CEDC/W/No.146/24 is disposed off due to adjust the amount paid for the additional load of 1 KW in service connection No.055-133-2466 is not feasible of compliance without any proof for having made payment for 3 KW load while getting new service connection during 2006.

6.6 The Respondent prayed to dismiss the Appeal Petition No. 59 of 2024 as may deem it fit and proper and thus render Justice.

#### **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 contends that there has been a clerical error in TANGEDCO's records regarding his EB connection. The appellant argued that he physically possesses a three-phase EB connection with a corresponding three-phase energy meter since the installation date.

7.3 Additionally, the appellant highlights an error in the computer records regarding the maximum demand, which is listed as 2000 Watts, whereas it should be at least 3000 Watts for a three-phase connection at that time of effecting his service. The appellant further notes that the maximum demand requirement appears to have been updated to 4000 Watts for three-phase connections subsequently, this detail known only to TANGEDCO. Further the appellant urges transparency from TANGEDCO and calls for the submission of the relevant order to verify this change.

7.4 The appellant references a letter from TANGEDCO dated 24.05.2004, which was sent in response to a grievance, and argues that it supports the conclusion that the errors in TANGEDCO's records are indeed clerical mistakes. The appellant emphasizes that these inaccuracies, including the misreported maximum demand,

unfairly penalize the consumer. Therefore, the appellant requests that the paid amount of Rs. 9335/- be credited to the CC bill account from the revenue heading of Maximum Demand, as the errors were caused by TANGEDCO and not the consumer.

7.5 The respondent contends that the service connection No. 055-133-2466 is registered under the name of Thiru Mathisekaran with a sanctioned load of 2 KW during the year 2006. Now the petitioner applied for an additional load of 1 KW in order to meet the requirements for obtaining a solar service under the PM Suryaghar scheme, which requires a total of 3 KW load. The respondent explains that the petitioner was granted the solar service after paying the necessary charges, as evidenced by receipt no. PGCINB615707159 dated 11.03.2024, and that the load was subsequently changed from 2 KW to 3 KW on 12.03.2024.

7.6 The respondent further asserts that, upon reviewing the consumer ledger, the connection was originally sanctioned with 2 KW/3 phase in 2006. While the petitioner claims to have obtained a 3-phase connection at that time, the respondent states that their records only reflect payment for a 2 KW load. They note that, as per TNERC regulations, service connections and receipts are only issued after the necessary charges are paid. If the petitioner can provide documents to support the claim of an excess load, the respondent agrees to adjust the billing amount accordingly in the future.

7.7 In conclusion, the respondent states that the petition filed with the Consumer Grievance Redressal Forum (CGRF) was dismissed because the petitioner failed to provide proof of payment for a 3 KW load when the service connection was originally obtained in 2006. Therefore, adjusting the amount paid for the additional load of 1 KW is not feasible without such evidence.

7.8 In this context I would like to refer regulation 26 of TN Electricity Distribution Code, 2004 which was in force at the time of effecting supply during 2006 which is reproduced below:

*“26. Categories of Supply: Supply of electricity shall be made available to the consumer under the following categories :*

- a. Single-phase 2 wire 240 volts between phase and neutral for supply to a total connected load not exceeding 4000 watts (including power loads).*
- b. Three-phase 4 wire 415 volts between phases and 240 volts between a phase and neutral for supply to a total connected load exceeding 4000 watts but not exceeding a demand of 112 KW. The consumer may elect to avail supply under any one of the above categories where the connected load does not exceed 4000 watts*
- c. Three-phase 3 wire, 11,000 volts and above between phases for power installation exceeding a demand of 112 KW, the minimum demand however being 63 KVA*
- d. The consumer shall avail supply at 33 kV and above when the demand is 5 MVA and above.”*

From the above, it is clear that a consumer may elect to avail supply either under single phase or three phase categories when the connected load does not exceed 4000 watts. From the consumer ledger, it is seen that the service was effected during 2006 with a sanctioned load of 2KW under three phase which is admissible as per TNERC Distribution Code 26 prevailed at that time. Further, it is noticed that the appellant has one more service connection under three phase for his first floor in the same premises.

7.9 The appellant never challenged that he was provided with 2KW instead of his claim of 3KW since 2006 to till availing solar for 3KW on 12.03.2024. The appellant applied for the subsequent additional load of 1 KW to meet the requirements for the solar service under the PM Suryaghar scheme which requires a minimum of 3KW. The respondent has provided records that the necessary charges for the additional load were paid and that the connection was updated accordingly.

7.10 Given the lack of proof for supporting the appellant's claim and the compliance of the respondent with TNERC regulations, it is clear that the adjustments now requested by the appellant seems to be after thought effect which is not feasible at this juncture without proper documents. Therefore, the appellant's appeal lacks merit on his claim and hence this appeal petition is dismissed.



## 8.0 Conclusion:

8.1 Based on the above findings, the request of the appellant to adjust the amount paid towards additional 1KW demand in the future bills is rejected.

8.2 With the above findings A.P.No.59 of 2024 is disposed of by the Electricity Ombudsman.

**(N. Kannan)**  
Electricity Ombudsman

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

To

1. Thiru K. Mathisekaran,  
Plot No.3, Sixth Cross, 11<sup>th</sup> Lane,  
Thendral Nagar East, Thirumullaivoyal,  
Chennai – 600 062.

- By RPAD

2. The Executive Engineer/O&M/Avadi,  
Chennai Electricity Distribution Circle/West,  
TANGEDCO,  
229, N.M Road, Avadi, Chennai-600054.

3. The Superintending Engineer,  
Chennai Electricity Distribution Circle/West,  
TANGEDCO,  
Thirumangalam 110/33/11 KV SS Complex,  
Anna nagar, Chennai - 600 040.

- By Email

4. The Chairman & Managing Director,  
TANGEDCO,  
NPKRR Maaligai, 144, Anna Salai,  
Chennai -600 002.

– By Email

5. The Secretary,  
Tamil Nadu Electricity Regulatory Commission,  
4th Floor, SIDCO Corporate Office Building,  
Thiru-vi-ka Industrial Estate, Guindy,  
Chennai – 600 032.

– By Email

6. The Assistant Director (Computer)  
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