



**Before the Electricity Ombudsman**  
**9/2, 6<sup>th</sup> Floor, Mahalakshmi Chambers, M.G.Road,**  
**Bangalore**

**Present: B.R.Jayaramaraje Urs, IAS (Retd.)**

**Electricity Ombudsman**

**Case No.OMB/M/G-88/2010/180**

**Dated 27.03.2013**

**BETWEEN:**

Dr.Late P.G.Krishnamurthy,

"Anandavana"

Post: Panchabettu,

Hiriyadka,

**Udupi District.**

**Complainant**

**Vs**

1. Executive Engineer (Ele),

O & M Division,

MESCOM

**UDUPI**

2. Consumer Grievance Redressal Forum, (CGRF)

MESCOM Corporate Office,

Padadigm Plaza, A.B.Shetty Circle

**Mangalore**

**.. Respondents**

1. This is an appeal under Clause 21.2 of the provisions of KERC (Consumer Grievance Redressal Forum and Ombudsman) Regulations, 2004 against the

orders passed by the Consumer Grievance Redressal Forum, Mangalore (hereinafter referred to as the 2<sup>nd</sup> Respondent) vide No. ಮಂವಿಸಕಂ/ಗ್ರಾ.ಕುಂ.ಕೋ.ನಿ.ವೇ/19/09-10 ದಿನಾಂಕ 15.03.2010 in respect of the Appellant's grievance relating to payment of 11 months' R.N.F.

2. When this Authority was in the process of fixing the date for hearing, it was informed by the Executive Engineer, Udupi, that the Appellant, Dr.P.G.Krishnamurthy had expired about 1<sup>1/2</sup> years ago, but no official communication had been received either from the dependants or from the legal heirs of Dr.P.G.Krishnamurthy and that he had read about the death only in the local newspaper.

3. A communication was sent vide letter No.OMB/M/G-88/2010/147 dated 18.01.2013 to the dependants/legal heirs of Dr.P.G.Krishnamurthy to ascertain whether they would be interested in pursuing the case on behalf of the deceased. The communication was returned by the Postal Authorities with remarks "Addressee Deceased. Returned to Sender."

4. It appears from the Postal Correspondence that the Appellant is not alive and even the legal heirs of the deceased have not made any attempt to come on record. It is also clear that the case is not being pursued by the Complainant with reasonable diligence. KERC (CGRF and Ombudsman) Regulation 22.2(iii) stated that the Ombudsman can reject the representation at any stage if it appears to him that representation is not being pursued by the Complainant with reasonable diligence.

5. In view of the fact that neither the Complainant nor his legal heirs are pursuing the complaint with reasonable diligence and, hence, the complaint deserves to be rejected. Hence, the following order:

## ORDER

5. For the foregoing reasons, the appeal filed by the Appellant is rejected under Regulation 22.2(iii) of KERC (CGRF and Ombudsman) Regulations, 2004 on the grounds of non-pursual of the appeal with due diligence by the Complainant or his legal heirs.



(B.R.Jayaramaraje Urs)  
Electricity Ombudsman

1. Dr.Late P.G.Krishnamurthy, "Anandavana", Post: Panchabettu, Hiriya, Udupi District.
2. Executive Engineer, O & M Division, MESCOM, Udupi.
3. Consumer Grievance Redressal Forum, MESCOM Corporate Office, Paradigm Plaza, A.B.Shetty Circle, Mangalore.
4. Managing Directors of all ESCOMs.
5. PS to Hon. Chairman, KERC
6. PS to Hon. Member (H), KERC
7. PS to Hon. Member (S), KERC
8. PS to Secretary, KERC
9. OCA