**BEFORE THE DISTRICT CONSUMER DISPUTES REDRESSAL COMMISSION NO.0I VISAKHAPATNAM: AP**

**CONSUMER COMPLAINT NO. /2022**

**IN THE MATTER OF:**

1. Marri Roja Rani

D/o Jagga Rao, aged 13 years,

Student being minor represented by her father

Marri Jagga Rao s/o Chinnayya

Aged 38 years, Bijjapalli, Kamayyapeta Village,

Hukumpeta Mandal, Visakhapatnam

Employee at SBI Bank, Hukumpeta

… **COMPLAINANT**

**AND**

1. The Chairman and Managing Director,

APEPDCL, Opp Hotel Green Park,

Visakhapatnam

1. The Superintending Engineer (Operations),

APEPDCL, Opp Hotel Green Park,

Visakhapatnam

1. The Assistant Engineer (Operations)

APEPDCL, Opp Hotel Green Park,

Visakhapatnam

… **OPPOSITE PARTIES**

**COMPLAINT UNDER SECTION 35 of THE CONSUMER PROTECTION ACT, 2019**

**RESPECTFULLY SHOWETH:**

1. The address of the Complainant for the purpose of service of summons, notice etc is as shown in the cause title above.
2. The address of the Opponents for the very purpose is the same as shown in the cause title above.
3. The complainant Marri roja Rani was a student of Government U.P. School, Kamayyapeta Village, Hukumpeta Manadal, C Visakhapatnam District.
4. The complainant submits that on 16/07/2018 at about 9:30 am, M. Roja Rani and her friend Marri Bharathi while playing in the 1st floor of the school accidentally touched high tension electrical wires which were passing too close to the balcony parapet wall of the 1st floor of the said school building. Thereby, both of them got electrocuted and sustained burn injuries and fell down on the ground.
5. The complainant further submits that in the said incident M.Bharathi died at the place and the complainant was shifted to Area Hospital, Hukumpeta Mandal for first aid and from there she was shifted to K.G.Hospital on the same day for better treatment where the doctors amputated the left leg great toe, 2nd and 3rd toe and right hand below elbow of the complainant.
6. The Hukumpeta Police registered the incident as a case in Crime No.37/2018. The complainant spent nearly Rs.5,00,000 towards transportation to hospital, medicines, extra nourishment , etc to the injured.
7. The complainant further submits that the accident occurred only due to high tension electrical wires passing too close to the parapet wall of the balcony of the 1st floor of school building, exposing the school children to grave danger.
8. The complainant further submits that acts of the opposite parties are jointly and severally liable to compensate the loss suffered by the minor girl which were arrived at Rs. 15,00,000.
9. The complainant further submits that he has issued a legal notice on 21/02/2022 requiring the opposite party to the amount. The opposite parties after receiving the notice neither complied with it nor replied to it.
10. The complainant thus aggrieved by this service of the opposite party has filed this complaint for deficiency of service.
11. **CAUSE OF ACTION**: The cause of action in the present case arose when the opposite parties failed to reply to the legal notice issued by the complainant on 21/02/2022.
12. **JURISDICTION**: The consideration amount of the dispute is less than Rs. 50 lakhs and the complainant resides within the territorial limits of this Hon’ble Commission. Hence this Hon’ble Commission has jurisdiction to try and entertain this complaint.
13. **LIMITATION**: That the present complaint is being filed within the period of limitation as prescribed under section 69 of the Act, 2019.
14. **COURT FEE**: As per Rule 7 of Consumer Protection (Consumer Dispute Redressal Commission) Rules 2020, the requisite court fee has been paid.

**EVIDENCE:**

A1- FIR issued by SHO, Hukumpeta, PS.

A2- Wound Certificate issued by A.P.Vaidya Vidhana parishad

A3- Discharge Summary issued by Andhra Medical College & K.G. Hospital, Visakhapatnam

A4- Proceedings of Deputy Superintendent of Police

A5- Legal Notice issued by the complainant acknowledgements from opposite parties.

**PRAYER**:

The complainant therefore prays to direct the opposite party :-

i) To pay Rs.15,00,000/- towards compensation for the injuries with interest and damages.

ii) To grant costs for the litigation

iii) Such other relief or reliefs which the Honourable Forum deemed fit, just and proper in the circumstances of the case.

**PLACE**: Signature

**DATED**:

**VERIFICATION**:

I, Marri Roja Rani D/o Jagga Rao, aged 13 years, being minor represented by my father Marri Jagga Rao s/o Chinnayya Aged 28 years, Bijjapalli, Kamayyapeta Village, Hukumpeta Mandal, Visakhapatnam do hereby declare that I have not misrepresented any facts nor have tried to hide any information in my above complaint. All the facts mentioned herein are true to the best of my knowledge.

Name & signature of the complainant