



W.P.(MD)No.4310 of 2015

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 21.06.2023

CORAM:

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

W.P.(MD)No.4310 of 2015
and M.P.(MD)No.1 of 2015

L.Murugan

... Petitioner

versus

1. The District Collector,
Tirunelveli District.
2. The Tahsildar,
The Controller of Tamilnadu Arasu
Cable TV Corporation Limited,
Poombukar Commercial Complex,
Tirunelveli Junction,
Tirunelveli.
3. The Tamilnadu Arasu Cable TV
Corporation Limited (TACTV)
A Government of Tamilnadu Undertaking,
No.11/12, Mangadusamy Street,
Nungambakkam,
Chennai – 600 034.
Rep. by its Chairman.

4. Arumugam

... Respondents



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Writ Petition filed under Article 226 of the Constitution of India, seeking for the issuance of Writ of Mandamus, directing the respondents particularly the second respondent to initiate appropriate legal proceedings as against the 4th respondent for curtailing the illegal relay or re-telecast signal of the 3rd respondent without being a member in and around Alangulam Circle, Tirunelveli District forthwith.

For Petitioner	:	Mr.S.Palani Velayutham
For R1	:	Mr.M.Siddhardhan Additional Government Pleader
For R2 and R3	:	M/s.Annie Abinaya Standing Counsel
For R4	:	No appearance

ORDER

The petitioner, claiming to be a cable TV operator, who was enrolled with the third respondent Arasu Cable TV Corporation Ltd., as MOS No.12221, has filed this writ petition for a Mandamus, directing the second respondent to initiate action against the 4th respondent that he is doing illegal relay or re-telecast signal without any authority.

2. The learned counsel appearing for the petitioner submits that the 4th respondent, without obtaining any permission, has indulged in



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re-telecasting the signal being telecasted by the 3rd respondent to his customer. In this regard, the petitioner has also made several representations to the respondents for taking necessary action. Since there was no action on the said representations, the present writ petition has been filed.

3. The learned counsel appearing for the 3rd respondent submits that the petitioner got LCO permit from the Arasu Cable TV Corporation, but, failed to pay subscription for 21 months and after providing an opportunity, he was removed in the year 2015. Thereafter, the 4th respondent was appointed as Local Cable Operator (LCO) in the said area.

4. The 4th respondent has also filed a counter affidavit stating that on 10.04.2015, he has obtained a provisional allotment order from Tamil Nadu Arasu Cable TV Corporation Ltd., to transmit signals under the services of the Tamil Nadu Arasu Cable TV Corporation



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(TAC TV), with 104 connections; his new LCO number is 49204; he has paid a sum of Rs.1,000/- as Registration Fee and also paid a sum of Rs.6,240/- towards advance for three months, by way Demand Draft in favour of the Tamil Nadu Arasu Cable TV Corporation Ltd., on 19.02.2015; he has also submitted all necessary documents for obtaining registration certificate from the competent authorities and he has not made any illegal transmission or re-telecasting in and around the city Alangualm, prior and after the filing of this writ petition.

5. Considering the fact that the 4th respondent was duly recognized by the 3rd respondent as Local Cable Operator, the allegation made as against the 4th respondent cannot be sustained. Therefore, this writ petition is dismissed. No costs.

21.06.2023

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NCC : Yes / No.
Index : Yes / No.
Internet : Yes / No.



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B.PUGALENDHI, J.

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