

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 09.02.2015

CORAM

THE HONOURABLE MR.JUSTICE T.S.SIVAGNANAM

WP.Nos.22873 & 22874/2014

&

MP.Nos.1 & 1/2014

M.K.Venkatesan

...Petitioner in both
the writ petitions

Versus

1. The Managing Director
Tamil Nadu Arasu Cable TV
Corporation Ltd., No.11/22
Mangadusamy Street
Nungambakkam, Chennai 600034.
2. The Special Tahsildar
Tamil Nadu Arasu Cable TC Corporation
Ltd., Taluk Office, Thiruvannamalai Town
and District.
3. The Head Post Office
Arni Head Post Office, Arni
Pincode 632 301,
State of Tamilnadu.

...Respondents in both the
writ petitions

Writ petitions filed under Article 226 of the Constitution of India praying for a writ of mandamus directing the respondents 1 and 2 to restore the cable TV network connection to the petitioner in respect of Thavani village and Mottur village vide Registration Certificate Nos.786 and 787 issued by the 3rd respondent vide dated 10.05.2013 which has been renewed periodically, forthwith without insisting the approval as Local Cable TV Operation [LCO].

For Petitioner : Mr.Ashok Pathy for
M/s.Pass Associates

For R1 : Mr.Abdul Saleem

For R2 : Mr.V.Jayaprakash Narayanan
Special Government Pleader

For R3 : M/s.R.Maheswari, SCGSC

COMMON ORDER

Heard Mr.Ashok Pathy, learned counsel appearing for the petitioner ; Mr.Abdul Saleem, learned counsel appearing for the 1st respondent ; Mr. V.Jayaprakash Narayanan, learned Special Government Pleader appearing for the 2nd respondent and M/s.R.Maheswari, learned Senior Central Government Standing counsel appearing for the 3rd respondent and perused the materials available on record.

2.Since the issue involved and the parties are one and the same, both the writ petitions are disposed of by the following common order.

3.The petitioner has filed the above writ petitions seeking for issuance of a writ of mandamus to direct the respondents 1 and 2 to restore the cable TV network connection to the petitioner in respect of Thavani village and Mottur village vide Registration Certificate Nos.786 and 787/2014 issued by the 3rd respondent vide dated 10.05.2013 which has been renewed periodically, forthwith without insisting the approval as Local Cable TV Operation [LCO].

4.The grievance of the petitioner is that though he was registered as a Cable TV Operator and Registration Certificates in respect of the two villages, were given by the Postal Department/the 3rd respondent herein, bearing Registration certificate Nos.786 and 787/2014, which is valid up to 05.04.2015, high-handedly the cable network provided by the petitioner had been disconnected and handed over to two other persons, viz., A.Sasikumar and Arivanban. Though those persons have been acting against the 1st respondent Corporation, in the absence of those persons, being the party respondents in these writ petitions, this Court cannot adjudicate the correctness of the submission made by the petitioner. In any event, an application has been submitted by the petitioner for registration as Local Cable Operator for the said two villages and the same is now pending with the 1st respondent. Along with the said application, the petitioner has also enclosed the Registration Certificates issued by the Postal

Department.

5.In the light of the above, there will be a direction to the 1st respondent to consider the petitioner's application and pass orders on merits and in accordance with law within a period of four weeks from the date of receipt of a copy of this order.

6.The writ petitions are disposed of with the above direction. No costs. Consequently, the connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar (CS-II)

//True Copy//

Sub Assistant Registrar

AP

To

1. The Managing Director
Tamil Nadu Arasu Cable TV
Corporation Ltd., No.11/22
Mangadusamy Street, Nungambakkam, Chennai 600034.
2. The Special Tahsildar
Tamil Nadu Arasu Cable TC Corporation
Ltd., Taluk Office, Thiruvannamalai Town
and District.
3. The Head Post Office
Arni Head Post Office, Arni
Pincode 632 301, State of Tamilnadu.

1 CC to M/s.R.Maheswari,, Advocate SR.No. 6903

1 CC to M/s.Pass Associates, Advocate SR.No. 7002

1 CC to the Government Pleader, SR.No. 6945

WP.Nos.22873 & 22874/2014

SR (CO)

PSI (26.02.2015)