

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATE: 09.09.2015

CORAM

THE HONOURABLE MR.JUSTICE M.SATHYANARAYANAN

W.P.No.28289/2015 & MP.No.1/2015

V.Manoharan

... Petitioner

Vs

1. The Managing Director
Tamil Nadu Arasu Cable TV Corporation
Ltd., No.11/22, Mankadusamy Street
Nungambakkam, Chennai.
2. The Special Tahsildar
Tamil Nadu Arasu Cable TV Corporation
Ltd., Erode District.
3. The Multi System Operator
Tamil Nadu Arasu Cable TV Corporation
Erode District.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, seeking for a writ of mandamus, to direct the respondents to give protection to the petitioner for the subscriber list as per the enquiry conducted on 01.07.2015 to 03.07.2015.

For Petitioner : Mr.A.Sundaravadhanan

For Respondents : Mr.Abdul Saleem

O R D E R

By consent, the writ petition is taken up for final disposal.

2.The petitioner claims that he is the Proprietor of Mano Cable Vision at Gobichettipalayam and the 1st respondent, after its formation, invited tenders from persons interested in working as Licensed Cable Operators in the respective areas. Accordingly, the petitioner had participated and he was given a license with License No.43840 and one of the conditions is that the infrastructure cost for receiving the signal from the 3rd respondent will have to be borne by the petitioner. As per the procedure, signal received from the 3rd respondent has to be boosted up by installing a junction box and from there, the petitioner has to effect connections to various subscribers and while routing connections through common places, necessary permission from the concerned authorities will have to be obtained for putting up cable wires.

The petitioner would claim that he is regularly paying all the dues to the 1st respondent and it is his claim that the subscriber base had increased to 725 and the petitioner, in this regard, has approached the respondents to make inspection with regard to the increase in subscription base, so as to enable him to pay the license fees and provide cable TV connection to them and accordingly, the inspection was also done between 01.07.2015 and 03.07.2015. Thereafter, nothing had happened and in this regard the petitioner has also submitted a representation dated 24.08.2015 to the 2nd respondent and since no orders have been passed, the petitioner came forward to file this writ petition.

3. Heard the submissions of the learned counsel for the petitioner and Mr. Abdul Saleem, learned counsel who accepts notice on behalf of the respondents 1 to 3.

4. Though the petitioner has prayed for a larger relief, this Court, taking into consideration the above facts and circumstances and without going into the merits of the claim projected by the petitioner, directs the 2nd respondent to consider and dispose of the representation of the petitioner dated 24.08.2015 on merits and in accordance with law and pass orders within a period of four weeks thereafter and communicate the decision taken, to the petitioner herein.

5. The writ petition is disposed of accordingly. No costs. Consequently, the connected miscellaneous petition is 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, Mankadusamy Street
Nungambakkam, Chennai.

2. The Special Tahsildar

Tamil Nadu Arasu Cable TV Corporation
Ltd., Erode District.

3. The Multi System Operator

Tamil Nadu Arasu Cable TV Corporation
Erode District.

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