

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.02.2016

CORAM

THE HONOURABLE MR. JUSTICE R.SUBBIAH

Writ Petition No.6559 of 2016

Yes Broadcasting India Private Limited
represented by its Managing Director
S.Suresh

... Petitioner

Vs.

Tamil Nadu Arasu Cable TV Corporation Ltd.
represented by its Managing Director,
No.11/22, Mangadusamy Street,
Nungambakkam,
Chennai 600 034.

... Respondent

Writ petition has been filed under Article 226 of the Constitution of India, praying for a Writ of mandamus directing the respondent to resume telecast of the petitioner's channel "YES CHANNEL" by considering the representation dated 05.02.2016 made by the petitioner within a time frame as may be fixed by this Court.

For Petitioner : Mr.P.Raja
For Respondents : Mr.Abdul Saleem

ORDER

The petitioner has come up with the present writ petition for a mandamus, directing the respondent to resume telecast of the petitioner's "YES CHANNEL" by considering their representation dated 05.02.2016 within a time frame fixed by this Court.

2. It is the case of the petitioner that they entered into an agreement with one M/s.Rahul Springs Pvt. Ltd., which has the valid permission from the Ministry of Information and Broadcasting and they started broadcasting its news and entertainment programmes in their "YES Channel", for which, they made applications bearing Nos.2495227 and 2495228 for registering their trade name "YES CHANNEL". The respondent telecasted the said channel from 2013 onwards till January 2016. While so, in the very same channel, a new channel by name "1

YES" has been broadcasted. When the same was enquired, it was a handy work of one Yogesh, who was working in the petitioner's company. However, the respondent had stopped broadcasting "YES CHANNEL" belonging to the petitioner. Therefore, the petitioner sent a representation dated 05.02.2016 to the respondent to resume the telecast of their channel. Though the same was received on 12.02.2016, no action has been taken by the respondent, which compelled the petitioner to approach this court with the present writ petition for the above stated relief.

3. Heard the learned counsel for the petitioner and the learned counsel appearing for the respondent.

4. Considering the facts and circumstances of the case, this Court directs the respondent to consider the representation of the petitioner dated 05.02.2016, by affording an opportunity of personal hearing to the petitioner and pass appropriate orders. It is made clear that this Court is not expressing any opinion with regard to the merits of the claim made by the petitioner and it is for the respondent to pass appropriate orders purely on merits and in accordance with law. The entire exercise shall be completed within a period of three weeks from the date of receipt of a copy of this order.

5. The writ petition is disposed of accordingly. No costs.
rk

Sd/-
Asst.Registrar

/true copy/

Sub Asst. Registrar

To

Tamil Nadu Arasu Cable TV Corporation Ltd.
represented by its Managing Director,
No.11/22, Mangadusamy Street,
Nungambakkam, Chennai 600 034.

+ 1 cc to Mr.Abdul Saleem, Advocate Sr 11351
+ 1 cc to Mr.P.Raja, Advocate Sr 11187

KR/29/2/16

W.P.No.6559 of 2016