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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 07.11.2016

CORAM:

THE HONOURABLE MR.JUSTICE V.BHARATHIDASAN

Writ Petition (MD) No.14096 of 2014
and
M.P.(MD).No.1 of 2014

M.Sundaram

... Petitioner

Vs.

1. The Managing Director
Tamil Nadu Arasu Cable TV Corporation Limited,
Dugar Towers, No.34 (123)
6th Floor, Marshalls Road,
Egmore, Chennai-08.

2. The Special Tahsildar/District Manager,
Tamil Nadu Arasu Cable TV Corporation Limited,
Karur,
Sengunthupuram,
Karur District.

... Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus directing the 2nd respondent to issue permit order to the local MSO Kulithalai , Arasu Cable TV Corporation for permitting the petitioner to transmit his Private local channel B Media as per the Provisional order dated 30.07.2014 in L. No. 11750/DM3 (2) / 2014 / TACTV / EO1/LOCALCHANNEL / 4 / 2014 passed by the 1st respondent.

For Petitioner	: Mr.B.Prasanna Vinoth
For Respondents	: Mr.Abdul Saleem for Mr.S.Satheesh Kumar

ORDER

The present writ petition has been filed seeking a direction directing the 2nd respondent to issue permit order to the local MSO Kulithalai , Arasu Cable TV Corporation for permitting the petitioner to transmit his Private local channel B Media as per the Provisional order dated 30.07.2014 in L. No. 11750/DM3 (2) / 2014 / TACTV / EO1/LOCALCHANNEL / 4 / 2014 passed by the 1st respondent.



2. According to the petitioner, he wanted to start a private local channel and the respondent granted permission for a period of one year from January 2012 to December 2012 and during the above period, the Local MSO prevented him from telecasting. Now, the grievance of the petitioner is that he was not permitted by the respondent to telecast in the particular channel as preferred by him. Hence, he has filed the present writ petition.

3. Mr. Abdul Saleem, learned Standing counsel appearing for the respondents/Arasu Cable TV Corporation submitted that there is no specific condition mentioned in the order granting permission that the petitioner will be provided with a particular channel for telecast. Hence, the petitioner cannot make any claim that he should be permitted to telecast a particular channel. Apart from that the period for which permission was granted is already over and now the respondents are taking steps to call a fresh tender for the ensuing year, the petitioner is always at liberty to participate in the tender.

4. In the above circumstances, since the tender period is already over, the prayer sought for in this writ petition cannot be granted at this stage. With regard to the grievance of the petitioner that he was prevented by the local MSO from telecasting, his grievance cannot be redressed in the writ petition and it is open to him to initiate appropriate proceedings before the competent forum to redress his grievance.

5. Accordingly, this writ petition is disposed of. Consequently, connected miscellaneous petition is closed. No costs.

Sd/
Assistant Registrar(A.S.,)

/TRUE COPY/

Sub Assistant Registrar

To

1. The Managing Director
Tamil Nadu Arasu Cable TV Corporation Limited,
Dugar Towers, No.34 (123)6th Floor, Marshalls Road,
Egmore, Chennai-08.
2. The Special Tahsildar/District Manager,
Tamil Nadu Arasu Cable TV Corporation Limited,
Karur, Sengunthapuram, Karur District.

+1cc to M/s.B.Prasanna Vinoth, Advocate, in SR No.66909.

W.P(MD)No.14096 of 2014
07.11.2016