



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 07.11.2016

CORAM:

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THE HONOURABLE MR. JUSTICE V. BHARATHIDASAN

Writ Petition (MD) No.2512 & 2513 of 2014
and M.P.(MD).No.1 and 1 of 2014

S.Manimegalai ... Petitioner in both (wps)

Vs.

- 1.The Telecom Regulatory Authority of India,
Rep by its Senior Research officer C & B,
Mahanagar Doorsanchar Bhawan,
Jawaharlal Nehru Marg,
New Delhi-110002
- 2.The Managing DIRECTOR,
Tamil Nadu Arasu Cable TV Corporation Ltd,
Chennai
- 3.The Special Tahsildar/Manager,
Tamil Nadu Arasu Cable TV Corporation Ltd,
Trichy

... Respondents
in both (wps)

Prayer in W.P(MD).No.2512 of 2014: Writ Petition is filed under Article 226 of the Constitution of India praying for the issuance of a writ of Mandamus directing the respondents to conduct a survey for the number of connections possessed by the petitioner's SM Cable Vision for the enrollment No.LCO 43229 and fix the subscription fees as per the TRAI regulations and Cable Television Network regulation Act.

Prayer in W.P(MD).No.2513 of 2014: Writ Petition is filed under Article 226 of the Constitution of India praying for the issuance of a writ of Mandamus directing the respondents to conduct a survey for the number of connections possessed by the petitioner's Prince Cable for the enrollment No.LCO 37848 and fix the subscription fees as per the TRAI regulations and Cable Television Network regulation Act.

In Both Wps:

For Petitioner
For Respondents

:M/S.B.Prasanna Vinoth
: Mr.Abdul Saleem for
for M.S.Satheesh Kumar
for R-2 & 3
Mr.JeyaSingh for R-1

The petitioner has filed these Writ Petitions seeking a direction, directing the respondents to conduct a survey for the



number of connections possessed by the petitioner and fix the subscription fees as per the TRAI regulations and Cable Television Network regulation Act.

2. According to the petitioner, She is a LCO (Local Cable TV Operator) in Musiri Taluk, Trichy District. Now, the grievance of the petitioner is that without conducting a proper survey regarding the number of connections possessed by the petitioner's Cable Vision, the respondents fixed the demand. As per the TRAI regulations and Cable Television Network Regulation Act, the respondent should conduct a proper survey and based on the survey, fix the subscription fees. Hence, she has filed the present writ petitions.

3. Mr. Abdul Saleem, learned counsel appearing for the respondents 2 & 3/Arasu Cable TV Corporation fairly submitted that the respondents will conduct proper survey regarding the actual number of connections given to LCOs, thereafter make a demand, as per the TRAI regulations and Cable Television Network Regulation Act. He further submitted that since the LCOs like the petitioner formed an association and interfering with the survey, he seeks police protection during the survey.

4. In the above circumstances, the respondents 2 and 3 are directed to conduct the proper survey in the presence of the petitioner regarding the actual number of connections given to LCOs, thereafter, the respondent shall make a demand, based on the above said survey. The petitioner is also directed not to cause any disturbance during the time of survey. In the event of any such interference, it is open to the respondents 2 & 3 to seek police protection.

5. With the above direction, these writ petitions are ordered accordingly. There shall be no order as to costs. Consequently, connected miscellaneous petitions are closed.

Sd/-
Assistant Registrar (CSII)

/True Copy/

Sub-Assistant Registrar

To

1. The Senior Research officer C & B,
Telecom Regulatory Authority of India,
Mahanagar Doorsanchar Bhawan,
Jawahar Lal Nehru Marg,
New Delhi-110002



2.The Managing DIRECTOR,
Tamil Nadu Arasu Cable TV Corporation Ltd,
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3.The Special Tahsildar/Manager,
Tamil Nadu Arasu Cable TV Corporation Ltd,
Trichy

+One cc to Mr.B.Prasannavinuth, Advocate, SR.No.66907

+One cc to Mr.S.Jeyasingh, Advocate, SR.No.66867

vs
RL/6C/3P/KM/23.11.2016

Writ Petition (MD) No.2512 & 2513 of 2014
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