



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 07.11.2016

WEB COPY

CORAM:

THE HONOURABLE MR.JUSTICE V.BHARATHIDASAN

Writ Petition (MD) No.20385 of 2015
and
MP (MD) No.1 of 2015

G. Venkatesan

... Petitioner

Vs.

1. The Telecom Regulatory Authority of India,
Rep. by its Senior Research Officer C &B,
Mahanagar Doorsanchoor Bhawan,
Jawaharlal Nehru Marg,
New Delhi -110 002.

2. Managing Director,
Tamil Nadu ARASU Cable T.V. Corporation ltd.,
34/123, Dugar towers 6th floor,
Marshall road, Egmore,
Chennai.

3. The Special Tahsildar/ Manager
TamilNadu Arasu Cable TV Corporation Ltd.,
Dindigul.

... Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus forbearing the respondents from demanding the arrears of subscription fee by giving retrospective effect from May 2012 from the petitioner having Enrollment No: LOC No:15324 with the respondents 2 & 3.

For Petitioner

: Mr. J. Anandkumar

For Respondents

: Mr.N.S.Ponniah

Central Govt. St. Counsel for R-1
Mr.Abdul Saleem Standing Counsel for
Mr.S.Satheesh Kumar
Additional Government Pleader
for RR-2 and 3

**ORDER**

The petitioner has filed this Writ Petition seeking a direction, forbearing the respondents from demanding the arrears of subscription fee by giving retrospective effect from May 2012 from the petitioner having Enrollment No: LOC No:15324 with the respondents 2 & 3.

2.The grievance of the petitioner is that without considering the actual date of giving signals to Local Cable TV Operators (LCOs), the respondents calculated the arrears and at any time, they would disconnect the petitioner's cable TV network for non payment of the arrears. Hence, he has filed the present writ petition.

3. Mr.Abdul Saleem, learned Standing counsel appearing for the respondents/Arasu Cable TV Corporation fairly submitted that the petitioner can approach the third respondent/Special Tahsildar, Tamil Nadu Arasu Cable TV Corporation Limited and produce the relevant records to establish the correct date of receipt of signals from the respondent and also submit all other relevant records before the third respondent, enabling him to consider the objections of the petitioner.

4.In view of the above submission made by the learned Standing Counsel for the respondent, the petitioner is directed to approach the third respondent/Special Tahsildar, Tamil Nadu Arasu Cable TV Corporation Limited and submit relevant records, along with his objection. On receipt of such objections and relevant records, the third respondent/Special Tahsildar, Tamil Nadu Arasu Cable TV Corporation Limited is directed to conduct an enquiry and consider all the materials filed by the petitioner and pass suitable orders on merits and in accordance with law within a period of six weeks from the date of receipt of a copy of this order. Till then, the interim order, if any already granted is extended.

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

Sd/-
Assistant Registrar (Records)

/True Copy/

Sub Assistant Registrar



To

1. The Senior Research Officer C&B,
Telecom Regulatory Authority of India,
Mahanagar Doorsanchoor Bhawan,
Jawaharlal Nehru Marg,
New Delhi -110 002.
 2. Managing Director,
Tamil Nadu ARASU Cable T.V. Corporation ltd.,
34/123, Dugar towers 6th floor,
Marshall road, Egmore,
Chennai.
 3. The Special Tahsildar/ Manager
Tamil Nadu Arasu Cable TV Corporation Ltd.,
Dindigul.
- + 1 CC TO M/s.J.ANAND KUMAR, ADVOCATE IN SR No. 67069

VS

TE/SS-2 : 20/12/2016 : 3P/5C

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MP(MD)No.1 of 2015
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