



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 14.11.2016

CORAM :

THE HONOURABLE MR.JUSTICE V.BHARATHIDASAN

WEB COPY

Writ Petition (MD) No.5088 of 2015

and

M.P(MD)No.1 of 2015

G.Vivekanandan

... Petitioner

Vs.

1.The Managing Director,
Tamil Nadu Arasu Cable TV Corporation Ltd.,
Marshal Road, Egmore, Chennai.

2.The Special Tashildar,
Tamil Nadu Arasu Cable TV Corporation Ltd.,
Poombukar Building,
S.N.High Road, Tirunelveli Junction,
Tirunelveli District.

3.The Manager,
Arasu Cable TV Corporation Head end,
Tiruchendur,
Thoothukudi District.

... Respondents

Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, directing the 2nd respondent not to interfere with the right of the petitioner to get signal service from MSO of the petitioners choice and consequently directing the 2nd respondent not to compel the petitioner to get signal service from any other MSO except 3rd respondent MSO at Tiruchendur, Thoothukudi District, based upon the petitioner's representation dated 21.3.2015.

For Petitioner

: Mr.S.R.Anbarasu

For Respondents

: Mr.Abdul Saleem

for Mr.S.Sathishkumar

Additional Government Pleader.

ORDER

The petitioner has come up with this writ petition seeking for the issuance of a Writ of Mandamus, to direct the second respondent not to interfere with the right of the petitioner to get signal service from MSO as per the petitioner's choice and to direct the second respondent not to compel the petitioner to get signal service from any other MSO except third respondent MSO at Tiruchendur, Thoothukudi District, based on the petitioner's representation dated 21.3.2015.



2. Heard Mr.S.R.Anbarasu, learned counsel appearing for the petitioner and Mr.Abdul Saleem, learned counsel appearing for the respondents.

3. According to the petitioner, he is doing Cable TV business in Udankudi area, Thoothukudi District for the past 10 years. He is getting signals from the local Multi System Operator, Tiruchendur. Now, the second respondent is insisting the petitioner to get signals from the Sivamurugan Cable TV Multi System Operator. Hence, the petitioner has filed the present writ petition for issuing a direction to the second respondent not to compel him to get signals from any other private MSO.

4. Learned counsel appearing for the petitioner submitted that in similar circumstances, this Court has allowed similar prayer and he produced a copy of the order passed in W.P.(MD). Nos.18114 of 2014 etc., batch and prayed that similar order may be passed. The relevant portion of the said order reads as follows:

"When the matter is taken up for hearing, the learned Standing Counsel appearing for Tamil Nadu Arasu Cable TV Corporation Limited submitted that the respondents have no objection for the prayer sought in all these writ petitions provided that they get signals from the recognised/authorised District Local Cable Operator/Taluk Operator. Further, they should not be in arrears insofar as Tamil Nadu Arasu Cable TV Corporation Limited is concerned."

5. Mr.Abdul Saleem, learned Standing Counsel appearing for the respondents/Arasu Cable TV Corporation submitted that similar orders may be passed in this writ petition also.

6. In view of the above submission made by the learned Standing Counsel appearing for the respondents, the petitioner is permitted to get signals from any of the recognised or authorised District Cable Operator/Taluk Operator. Accordingly, this writ petition is disposed of. No costs. Consequently, M.P.(MD)No.1 of 2015 is closed.

Sd/-

Assistant Registrar(co)

/True copy/

Sub Assistant Registrar

To

1. The Managing Director,
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Marshal Road, Egmore, Chennai.



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3.The Manager,
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and
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