



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **14.11.2016**

CORAM:

WEB COPY

THE HONOURABLE MR. JUSTICE V. BHARATHIDASAN

Writ Petition (MD) No.9880 of 2014
and
M.P. (MD).No.1 of 2014

M. Robertsagayadoss

... Petitioner

Vs.

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

Prayer: The Writ Petition has been filed under Article 226 of the Constitution of India praying for issuance of a writ of Mandamus directing the respondents to conduct a survey for the number of connections possessed by the petitioner's MRS Cable Vision for the Enrollment No.LCO 33597 and fix the subscription fees as per the TRAI regulations and Cable Television Network Regulation Act.

For Petitioner : M/S.B.Prasanna Vinoth
For R1 : Mr.N.S.Ponniah
For R2 & R3 : Mr.Abdul Saleem for
Mr.Sadesh Kumar

O R D E R

The writ petition has been filed for a writ of Mandamus directing the respondents to conduct a survey for the number of connections possessed by the petitioner's MRS Cable Vision for the



Enrollment No.LCO 33597 and fix the subscription fees as per the TRAI regulations and Cable Television Network Regulation Act.

2. According to the petitioner, he is a LCO (Local Cable TV Operator) in Thiruvarambur 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 respondents should conduct a proper survey and based on the survey, fix the subscription fees. Hence, he has filed the present writ petition.

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 respondents 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, the writ petition is ordered accordingly. There shall be no order as to costs. Consequently, the connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar(CS I)

/True copy/

Sub Assistant Registrar

To

1.Senior Research Officer C & B,
The Telecom Regulatory Authority of India,
Rep by its Senior Research officer C & B,
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Jawaharlal Nehru Marg,
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Akv

AAM-GSV-SV:3P/4C/20.01.2017

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