



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 07.11.2016

CORAM:

WEB COPY

THE HONOURABLE MR.JUSTICE V.BHARATHIDASAN

Writ Petition (MD) No.4406 of 2016
and
WMP (MD) No.3958 of 2016

A. Xavier Selvaraj

... Petitioner

Vs.

1. The Managing Director,
Tamil Nadu ARASU Cable T.V. Corporation Limited,
(A Government of Tamil Nadu Undertaking)
No.11/22, Mangadu Samy Street,
Nungambakkam, Chennai-600 034.

2. The Deputy Manager,
Tamil Nadu Arasu Cable TV Corporation Ltd.,
Thoothukudi District, Thoothukudi.

... Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Certiorarified Mandamus calling for the records pursuant to the impugned order of the 2nd respondent dated 14.09.2015 in his proceedings bearing T.N.A.C.TV 450/2015 and quash the same and consequently direct the respondents herein to refix the subscription amount payable by the petitioner for the existing 430 connections alone after due enquiry.

For Petitioner : Mr.Lakshmi Gopinathan for
Polax Legal Solutions

For Respondents : Mr.Abdul Saleem for
Mr.S.Satheesh Kumar

ORDER

Challenging the show cause notice issued by the second respondent/Tamil Nadu Arasu Cable TV Corporation Limited, for collecting the arrears of subscription amounts, the present writ petition has been filed.

2.The grievance of the petitioner is that the second respondent, without considering the actual date of giving signals to Local Cable TV Operators (LCOs), mechanically issued the show-cause notice.



3. Mr. Abdul Saleem, learned Standing counsel appearing for the respondents/Arasu Cable TV Corporation fairly submitted that the petitioner can approach the concerned 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 him 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 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, concerned 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 (Crl)

/True Copy/

Sub Assistant Registrar

To

1. The Managing Director,
Tamil Nadu ARASU Cable T.V. Corporation Ltd.,
(A Government of Tamil Nadu Undertaking)
No.11/22, Mangadu Samy Street,
Nungambakkam, Chennai-600 034.
2. The Deputy Manager,
Tamil Nadu Arasu Cable TV Corporation Ltd.,
Thoothukudi District, Thoothukudi.
3. The Special Tahsildar,
Tamil Nadu ARASU Cable T.V. Corporation Ltd.,
Kovilpatti Taluk, Thoothukudi District.

VS

TE/SS-2 : 08/12/2016 : 2P/4C

W.P (MD) No.4406 of 2016
and
WMP (MD) No.3958 of 2016
07.11.2016