



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 07.11.2016

CORAM:

**THE HONOURABLE MR. JUSTICE V. BHARATHIDASAN**

Writ Petition (MD) No.5669 of 2016

Maria Xavier

... Petitioner

**Vs.**

1. The District Collector,  
Kanniyakumari District,  
Nagercoil.
  2. The Managing Director,  
Arasu Cable T.V. corporation,  
Chennai - 8.
  3. The Revenue Divisional Officer,  
Nanguneri,  
Kanniyakumari District.
  4. The Special Tahsildar,  
Tamil Nadu Arasu Cable TV Corporation,  
Kanniyakumari District.
  5. The Inspector of Police,  
Kanniyakumari Police Station,  
Kanniyakumari.
  6. Nixon Jose  
(6<sup>th</sup> respondent impleaded as per the order of this Court  
made in W.M.P.(MD).No.6177/2016 in  
W.P.(MD).No.5669/2016, dated 07.11.2016).
- ... Respondents

**Prayer:** Writ Petition is filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus directing the respondents 3 to 5 to initiate appropriate legal action against the illegal transmission of cable signal using DTH, without proper valid license as per the cable TV regulation Act 1995 in Arockiapuram, Kanniyakumari District, based on the petitioner's representation dated 11.01.2016 and pass such further or other orders as this Hon'ble Court may deem fit and proper in the circumstances of the case.



WEB COPY

For Petitioner : Ms. AN. Ramanathan  
For Respondents : Mr. Abdul Saleem for  
Mr. S. Satheesh Kumar  
for R- 2  
Mr. N. S. Karthikeyan  
AGP for RR-1, 3 to 5  
Mr. AN. Ramanathan  
for impleaded party

**ORDER**

The petitioner has filed this Writ Petition seeking a direction, directing the respondents 3 to 5 to initiate appropriate legal action against the illegal transmission of cable signal using DTH, without proper valid license as per the cable TV regulation Act 1995 in Arockiapuram, Kanniyakumari District based on the petitioner's representation dated 11.01.2016 within the time frame fixed by this court.

2. According to the petitioner, he is a LCO (Local Cable TV Operator) in Arockiapuram, Kanniyakumari District, under the Arasu Cable TV Corporation. The grievance of the petitioner is that he has given a representation to the 3 to 5 respondents dated 11.01.2016, with regard to illegal transmission of cable signal using DTH, without proper valid license. So far, the said representation has not been considered by the respondents. Hence, he has filed the present writ petition.

3. Mr. Abdul Saleem, learned counsel appearing for the 3 to 5 respondents/Arasu Cable TV Corporation submitted that they are ready and willing to consider the petitioner's representation within a time limit prescribed by this Court.

4. In view of the above submission made by the learned counsel appearing for the 3 to 5 respondents, the respondents are directed to consider the petitioner's representation dated 11.01.2016, after giving opportunity to the petitioner as well as any rival claimant, if any, and pass 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.

5. With the above direction, this writ petition is disposed of. There shall be no order as to costs. Consequently, connected miscellaneous petition is closed.

Sd/-  
Assistant Registrar (AE)

/True Copy/



To

1. The District Collector,  
Kanniyakumari District,  
Nagercoil.

2. The Revenue Divisional Officer,  
Nanguneri,  
Kanniyakumari District.

3. The Inspector of Police,  
Kanniyakumari Police Station,  
Kanniyakumari.

+ 1 CC TO Mr.B.PRASANNA VINOTH, ADVOCATE IN SR No. 66912

VS

TE : 16/12/2016 : 3P/5C

W.P (MD) No.5669 of 2016  
07.11.2016