



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 14.11.2016

CORAM:

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THE HONOURABLE MR.JUSTICE V.BHARATHIDASAN

Writ Petition (MD) No.8868 of 2016
and
W.M.P.(MD).No.7077 of 2016

S.Ramaiah

... Petitioner

Vs.

1.The Managing Director,
Tamil Nadu Arasu Cable TV Corporation Ltd.,
Dugar Towers 6th Floor,
No.34 (123), Marshals Road,
Egmore,
Chennai 600 008.

2. The Deputy Manager / Special Tahsildar,
Tamil Nadu Arasu Cable TV
Corporation Limited,
Trichirapalli District,
Trichy Railway Junction,
Tiruchirapalli.

... Respondents

Prayer: The Writ Petition has been filed under Article 226 of the Constitution of India praying for issuance of a writ of Certiorarified Mandamus to call for the records relating to the impugned order passed by the first respondent in nr.K.Miz vz;.D7/18322/2014 dated 27.04.2015 and quash the same and consequently, direct the respondents to grant license for Local Cable Operators in favour of the petitioner for running the business in Nettavelampatti Village, Patchaiperalumpatti Post, Thuraiyur Taluk, Tiruchirapalli District, on the basis of the petitioner's application.

For Petitioner : Mr.D.Shanmuga Raja Sethupathi
For Respondents : Mr.Abdul Saleem for
Mr.S.Sadesh Kumar

O R D E R

Challenging the order passed by the first respondent in nr.K. Miz vz;.D7/18322/2014, dated 27.04.2015, refusing to grant license to the petitioner for running the business in Nettavelampatti Village, Patchaiperalumpatti Post, Thuraiyur Taluk, Tiruchirapalli District, on the basis of the petitioner's application, the present writ petition has been filed.



2. According to the petitioner, he has applied for Local Cable TV Operator licence and the first respondent had rejected the petitioner's application stating that already LCO is there in the very same locality and if the petitioner is granted licence, it would lead law and order problem.

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3. The learned counsel for the respondents would submit that if the petitioner submits a list of subscribers along with the application before the second respondent, the second respondent will verify the same whether it is overlapping of the connections given to the existing LCOs and submit a report before the first respondent.

4. In the above circumstances, the impugned order passed by the first respondent in nr.K. Miz vz;.D7/18322/2014, dated 27.04.2015 is set aside and the petitioner is directed to submit a list of the subscribers before the second respondent within a period of two weeks from the date of receipt of a copy of this order and on keeping the same the second respondent is directed to conduct enquiry and submit a report before the first respondent and thereafter, the first respondent shall pass orders on merits and in accordance with law, within a period of eight weeks.

5. The writ petition is ordered accordingly. No costs. Consequently, the connected Miscellaneous Petition is closed.

Sd
ASST REGISTRAR (CO)

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SUB ASST REGISTRAR

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To

1. The Managing Director,
Tamil Nadu Arasu Cable TV Corporation Ltd.,
Dugar Towers 6th Floor, No.34 (123), Marshals Road,
Egmore, Chennai 600 008.
2. The Deputy Manager / Special Tahsildar,
Tamil Nadu Arasu Cable TV Corporation Limited,
Trichirapalli District, Trichy Railway Junction,
Tiruchirapalli.

1CC TO MR D. SHANMUGARAJA SETHUPATHI, ADVOCATE SR: 68566

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