



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 05.09.2017

CORAM:

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THE HONOURABLE MR.JUSTICE K.KALYANASUNDARAM

W.P. (MD) No.12518 of 2017

Saravanan

...Petitioner

-Vs-

1.Union of India,
Represented by its Secretary,
Ministry of Information & Broad Casting,
'A' Wing, Shstri Bhawan,
New Delhi - 110001.

2.The Post Master / licensing Authority,
Head Post Office,
Bodinayakanur,
Theni District.

...Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, directing the second respondent to renewal the petitioner's license for Cable Television License (Reg.No.915) and Local Channel (Reg.No.916) on pursuant to the licenses issued by the second respondent in Form 3 r/w Rule 5 of the Cable Television Networks (Regulation) Act, 1995.

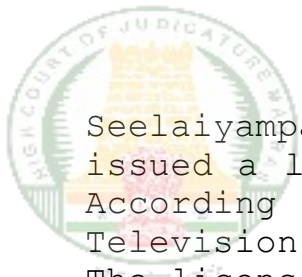
For Petitioner : Mr.K.Neethimohan
For Respondents : Mr.S.Jayasingh

ORDER

This writ petition is filed for a direction to the second respondent to renew the petitioner's license for Cable Television License (Reg.No.915) and Local Channel (Reg.No.916) on pursuant to the licenses issued by the second respondent in Form 3 r/w Rule 5 of the Cable Television Networks (Regulation) Act, 1995.

2. Heard Mr.K.Neethimohan, learned counsel for the petitioner and Mr.S.Jayasingh, learned counsel for the respondents.

3. The case of the petitioner is that he has been running TV channels in the name and style of "OM Saravana Cable", at



Seelaiyampatti Village, Theni District. The second respondent issued a license under Form No.3 in Registration Nos.915 and 916. According to the petitioner, one registration is for Cable Television Networks and another for Local Channel Registration. The license is valid from 08.06.2016 to 07.06.2017.

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4. The petitioner would further state that he applied for renewal of registration on 16.06.2017, but the second respondent rejected the application, since it was filed out of time.

5. According to the petitioner, as per Rule 3 of Cable Television Networks Rules, the renewal after 12 months is an Automatic and therefore renewal application can be filed even after expiry of the earlier license period.

6. The second respondent has filed a counter affidavit stating that under Rule 3(1) of the Cable Television Networks Rules, the application for renewal should be filed before expiry of the earlier period.

7. It is further stated that the petitioner has applied for fresh registration certificate on 21.07.2017 and after following the procedure, the registration certificates have been issued in favour of the petitioner, which is valid from 26.07.2017 to 25.07.2018.

8. It is seen that after filing application for renewal, the petitioner applied for fresh registration, which was also granted on 26.07.2017.

9. In view of the above undisputed facts, this Court is of the opinion that the petitioner is not entitled for the relief sought for in this writ petition.

10. Accordingly, this Writ Petition is dismissed. No costs.

Sd/-

Assistant Registrar(Records)

/True Copy/

Sub-Assistant Registrar



To

1. Union of India,
Represented by its Secretary,
Ministry of Information & Broad Casting,
'A' Wing, Shstri Bhawan,
New Delhi - 110001.

2. The Post Master / licensing Authority,
Head Post Office,
Bodinayakanur,
Theni District.

+One cc to Mr.S.Jeyasingh, Advocate, SR.No.76555

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W.P.(MD)No.12518 of 2017

05/09/2017