



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED : 20.07.2017

CORAM

THE HONOURABLE MR.JUSTICE K.KALYANASUNDARAM
W.P.(MD)No.13400 of 2017

and

W.M.P.(MD).No.10459 & 10460 of 2017

Ponraj

... Petitioner

Vs.

1.The Managing Director,
Tamil Nadu Arasu Cable TV Corporation Limited,
11/12, Mangadusamy Salai,
Nungampakkam,
Chennai-34.

2.The General Manager, (Administration),
Tamil Nadu Arasu Cable TV Corporation Limited,
11/12, Mangadusamy Salai,
Nungampakkam,
Chennai-34.

3.The Special Tahsildar,
Tamil Nadu Arasu Cable TV Corporation Limited,
District Collectorate,
Thoothukudi,
Thoothukudi District.

4.The Manager,
Tamil Nadu Arasu Cable TV Corporation Limited,
Tiruchendur,
Thoothukudi District.

...Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Certioraraified Mandamus to call for the records relating to the impugned notice No.007461/25003/2017/66 dated 21.06.2017 issued by second respondent to the petitioner and quash the same.

For Petitioner :Mr.S.R.Anbarasu

For Respondents :Mr.S.Gunasekaran

ORDER

Challenging the impugned order passed by the second respondent in his proceedings No.007461/25003/2017/66 dated 21.06.2017, the present writ petition has been filed.

<https://hcservices.courtservice.in/hcservices/> of the petitioner is that he is running Cable TV Business at Vellalanvilai arear, Thoothukudi District as authorized Local Cable Operator (LCO) by the respondents. The



petitioner got signal service from the Tiruchendur Government MSO only from the month of March 2012. Thus, the respondents are entitled to collect subscription fee only from the month of March 2012. While so, the second respondent issued impugned notice No.007461/25003/2017/66 dated 21.06.2017 in violation of Principles of natural justice arrears of subscription amount of Rs.46,867/- and the said amount should be paid within three weeks otherwise the petitioner's cable connection will be disconnected. Aggrieved over the said order, the present writ petition has been filed.

3.Mr.S.Gunasekaran, learned Standing Counsel appearing for the respondents would strongly oppose the prayer sought for in the writ petition, contending that the petitioner has not paid rent regularly and still the petitioner has to pay subscription amount of Rs.46,867/-.

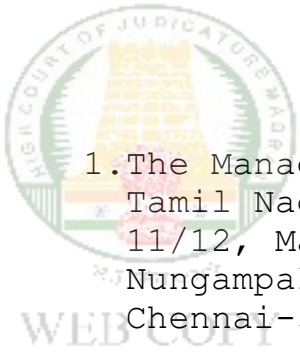
4.In similar writ petitions in W.P.(MD) Nos.15573 and 17997 of 2015 dated 07.11.2016, this Court has passed the following order:

"4.In view of the above submission made by the learned Standing Counsel for the respondents, the petitioners are directed to approach the second respondent/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, the second respondent/Special Tahsildar, Tamil Nadu Arasu Cable TV Corporation Limited is directed to conduct an enquiry and consider all the materials filed by the petitioners 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.Following the same, without going into the merits of the case, this Court directs the petitioner to approach the second respondent/ Special Tahsildar, Tamil Nadu Arasu Cable TV Corporation Limited and submit relevant records. On receipt of such relevant records, the second respondent/Special Tahsildar, Tamil Nadu Arasu Cable TV Corporation Limited shall 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 respondents are directed to maintain status-quo as on date.

6.Accordingly, this Writ Petition is disposed of. Consequently, connected Miscellaneous Petition is closed. No costs.

Sd/-
Assistant Registrar(Records)



1.The Managing Director,
Tamil Nadu Arasu Cable TV Corporation Limited,
11/12, Mangadusamy Salai,
Nungampakkam,
Chennai-34.

2.The General Manager, (Administration),
Tamil Nadu Arasu Cable TV Corporation Limited,
11/12, Mangadusamy Salai,
Nungampakkam,
Chennai-34.

3.The Special Tahsildar,
Tamil Nadu Arasu Cable TV Corporation Limited,
District Collectorate,
Thoothukudi,
Thoothukudi District.

4.The Manager,
Tamil Nadu Arasu Cable TV Corporation Limited,
Tiruchendur,
Thoothukudi District.

+1cc to M/S.S.GUNASEKARAN, Advocate SR.No.66811

+1cc to M/S.S.R.ANBARASU, Advocate SR.No.66845

sss/skn

MAS/KK/SAR1:21.08.2017:3P-7C

W.P. (MD) No.13400 of 2017
20.07.2017