



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT  
DATED : 21.07.2017

CORAM

**THE HONOURABLE MR. JUSTICE K. KALYANASUNDARAM**

WEB COPY

W.P. (MD) No. 13507 of 2017

and

W.M.P. Nos. 10576 & 10577 of 2017

L.S. Udhayakumar

... Petitioner

Vs.

1. The General Manager (Admin)

Tamil Nadu Arasu Cable TV Corporation Limited,  
Dugar Towers, 6<sup>th</sup> Floor,  
No. 34 (123), Marshals Road,  
Egmore,  
Chennai-8.

2. Assistant Manager/ The Special Tahsildar,

Tamil Nadu Arasu Cable TV Corporation Limited,  
Theni Taluk,  
Theni District.

... Respondents

**Prayer:** Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Certiorarified Mandamus, calling for the records relating to the impugned order passed by the first respondent in his proceedings No. 007461/11145/2017/66 dated 21.06.2017 and quash the same.

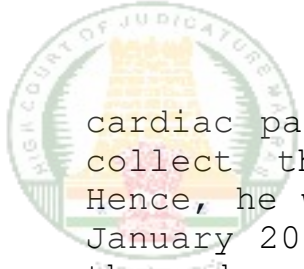
For Petitioner : Mr. R. Manimaran

For Respondents : Mr. S. Gunasekaran

### ORDER

Challenging the order passed by the first respondent in his proceedings No. 007461/11145/2017/66, dated 21.06.2017, the present writ petition has been filed.

2. The case of the petitioner is that he is a Cable TV Operator and he got signal service from the respondents. He would further claim that in the year, he was having below 450 cable connections, but the respondent demanded subscriptions for 475 connections. Subsequently, a demand was made for 594 and 694 connections, so he made objections. The respondents thereafter informed the petitioner to pay subscription for actual connections. Accordingly, he was paying the amount. Since he suffered by



cardiac pain in the middle of September 2016, he was not able to collect the subscription amount from the customers properly. Hence, he was not able to pay the monthly subscription amount from January 2017 to June 2017. Now the petitioner is prepared to pay the subscription amount for the period mentioned supra. But the first respondent has passed the impugned order stating that there is arrears of subscription amount of Rs.2,48,922/- and the same amount should be paid within three weeks or otherwise the petitioner's cable connection will be disconnected.

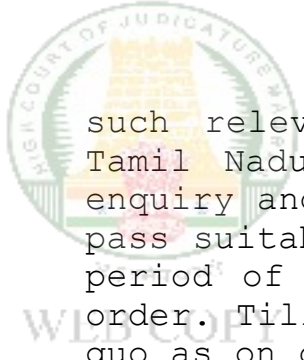
3.The learned counsel appearing for the petitioner would submit that usually the mode of payment will be in every month through Demand Draft or Online payment. Thereafter, in June 2014, the first respondent had announced that the Local Cable TV Operator can make their payment through MSO (Multi System Operator) and advised the local cable TV operators to pay subscription amount through MSO. The petitioner paid his monthly subscription amount from June 2014 to December 2015 through MSO and insisted for receipts. But the MSO had not issued receipts for some payments. The petitioner believed that the amount will be properly paid to the first respondent by MSO. After seeking the impugned order, the petitioner came to know that the some of subscription amount was not paid by MSO.

4.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.2,48,922/-.

5.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."

6.Following the same, without going into the merits of the <https://hcservices.ecourts.gov.in/hcservices> it 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.

7. Accordingly, this Writ Petition is disposed of. Consequently, connected Miscellaneous Petitions are closed. No costs.

Sd/-  
Assistant Registrar

/True copy/

Sub Assistant Registrar

To

1. The General Manager (Admin)  
Tamil Nadu Arasu Cable TV Corporation Limited,  
Dugar Towers, 6<sup>th</sup> Floor,  
No.34 (123), Marshals Road,  
Egmore,  
Chennai-8.

2. Assistant Manager/ The Special Tahsildar,  
Tamil Nadu Arasu Cable TV Corporation Limited,  
Theni Taluk,  
Theni District.

+1cc to M/s.S.Gunasekaran, Advocate, SR.66812

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SSS/SKN  
KK/GT/SAR2/07.08.2017/3P-4C