



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 23.08.2017

CORAM:

THE HONOURABLE MR. JUSTICE K. KALYANASUNDARAM

W.P. (MD) No. 14083 of 2017

and

W.M.P (MD) .Nos. 11012 & 11013 of 2017

S.Sasi Kumar

...Petitioner

-Vs-

1.The Managing Director,
Tamilnadu Arasu Cable TV Corporation Ltd.,
11/12, Mangadusamy Salai,
Nungampakkam, Chennai 34.

2.The General Manager,
Administration,
Tamilnadu Arasu Cable TV Corporation Ltd.,
11/12, Mangadusamy Salai,
Nungampakkam, Chennai 34.

3.The Special Tahsildar,
Tamilnadu Arasu Cable TV Corporation Ltd.,
District Collectorate,
Thoothukudi, Thoothukudi District.

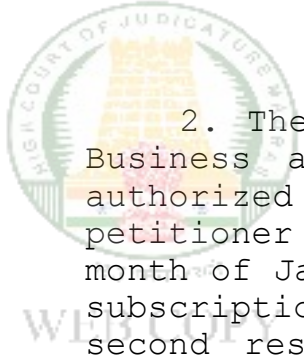
...Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India to issue a Writ of Certiorari to call for the records relating to the impugned Notice No.007461/48206/2017/66, dated 21.06.2017 issued by the 2nd respondent to the petitioner and quash the same.

For Petitioner	: Mr.S.R.Anbarasu
For Respondents	: Mr.S.Gunasekaran

O R D E R

Challenging the impugned order passed by the second respondent in his proceedings No.007461/48206/2017/66, dated 21.06.2017, the present writ petition has been filed.



2. The case of the petitioner is that he is running Cable T.V Business at Chennammareddipatti Village, Thoothukudi District as authorized Local Cable Operator (LCO) by the respondents. The petitioner got signal service from the Government MSO only from the month of January 2015. Thus, the respondents are entitled to collect subscription fee only from the month of January 2015. While so, the second respondent issued impugned notice No.007461/48206/2017/66, dated 21.06.2017 in violation of Principles of natural justice stating that there is arrears of subscription amount of Rs.65,940/- and the same 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.G.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.65,940/-.

4.In similar writ petitions in W.P(MD).No.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 third 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 third 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 third respondent/Special Tahsildar, Tamil Nadu Arasu Cable TV Corporation Limited and submit relevant records. On receipt of such relevant records, the third 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 petitions are closed. No costs.

Sd/-

Assistant Registrar(C.O)

/True Copy/



To

1.The Managing Director,
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2.The General Manager,
Administration,
Tamilnadu Arasu Cable TV Corporation Ltd.,
11/12, Mangadusamy Salai,
Nungampakkam, Chennai 34.

3.The Special Tahsildar,
Tamilnadu Arasu Cable TV Corporation Ltd.,
District Collectorate,
Thoothukudi, Thoothukudi District.

+One cc to Mr.S.R.Anbarasu, Advocate, SR.No.74453

+One cc to Mr.S.Gunasekaran, Advocate, SR.No.74746

msa

RL/6C/3P/KP/SAR3/11/9/2017

W.P. (MD) No.14083 of 2017

and

W.M.P (MD) .Nos.11012 & 11013 of 2017

23.08.2017