



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED:18.08.2017

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THE HON'BLE MR.JUSTICE K.KALYANASUNDARAM

W.P. (MD) No.15448 of 2017

M/s Sripathi Cable Vision
represented by its Proprietor
M.Nepolian,
S/o O.Manickam,
No.6, 6/12A, Anbil Padugai,
Konnakudi Post, Lalgudi Taluk,
Trichy District.

... Petitioner

-vs-

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

2.The General Manager,
Tamilnadu Arasu Cable TV Corporation Ltd.,
Durga Towers,
No.34 (123) 6th Floor,
Marshals Road, Egmore,
Chennai - 600 008.

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

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Certiorari to call for the records relating to the impugned Notice No.D12/16349/2013 dated 17.04.2017 issued by second respondent to the petitioner related with LOC No.47029 for No.6/12A, Anbil Pudugai, Konnakudi Post, Lalgudi Taluk, Trichy District and quash the same.

For Petitioner
For Respondents

: Mr.M.Sankar
: Mr.S.Gunasekaran
Standing Counsel for TACTV

**ORDER**

Challenging the impugned Notice No.D12/16349/2013 dated 17.04.2017 issued by second respondent to the petitioner related with LOC No.47029 for No.6/12A, Anbil Pudugai, Konnakudi Post, Lalgudi Taluk, Trichy District, the present writ petition has been filed.

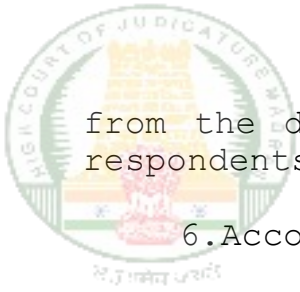
2.The case of the petitioner is that he is running Cable TV Business at Anbil Pudugai, Lalgudi Taluk, Trichy District. The petitioner's cable vision was registered on 23.06.2012. Even though the petitioner paid the license fee to the respondents without fail from the date of obtaining license, the respondents failed to give signal to the petitioner's area, namely, Adhikudi, Lalgudi Taluk, Trichy District. While so, the second respondent in violation of principles of natural justice issued impugned notice No.D12/16349/2013 dated 17.04.2017, stating that there is arrears of subscription amount of Rs.1,07,800/- and asking the petitioner to pay the said amount with fine. Challenging the same, 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.1,07,800/-.

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 third 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. No costs.

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Sd/-

Assistant Registrar (Crl.side)

/True Copy/

Sub Assistant Registrar

To:

1. The Managing Director,
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Ramnad District,
Ramnad.

+ 1 CC TO Mr.M.SANKAR, ADVOCATE IN SR No. 73141
+ 1 CC TO Mr.S.GUNASEKARAN, ADVOCATE IN SR No. 73257

SKN

TE/JC/SAR-I : 04/09/2017 : 3P/6C

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18.08.2017