



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 24.08.2017

CORAM:

THE HONOURABLE MR.JUSTICE K.KALYANASUNDARAM

W.P. (MD) No.16045 of 2017

and

WMP (MD) No.12705 of 2017

Bawa Net,
represented by its,
Authorised Signatory,
D.G.V.P.Sekar.

... Petitioner

Vs.

1. The Secretary,
The Hon'ble Ministry for Information and Broadcasting,
Government of India,
2, Krishna Menon Marg,
New Delhi -110 001.
2. The District Collector/ Nodal Officer,
Cable TV,
Karur District,
Karur.
3. The Managing Director,
Arasu Cable T.V Corporation Ltd.,
34/123, 6th Floor,
Durga Towers,
Marsal Salai,
Chennai - 600 008.
4. The Special Tahsildar,
Tamil Nadu Arasu Cable T.V Corporation Ltd.,
Karur,
Karur District.

... Respondents

PRAYER: Petition is filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, forbearing the 3rd and 4th respondents from interfering in day today activities of petitioner's partnership firm namely Bawa Net having control room at No.19, Chinnakadai, Pallapatti, Karur-639 205, from implementing Digital Addressable System to their local cable TV operators as per the MSO license dated 15.03.2016 and representation dated 04.08.2017.



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For Petitioner : Mr.B.Prasanna Vinoth
For R1 : Mr.R.Nandhakumar
SCGSC
For R2 : A.Muthukanappan, A.G.P
For R3 & R4 : S.Gunasekaran

ORDER

This writ petition is filed for issuance of a Writ of Mandamus forbearing the 3rd and 4th respondents from interfering in day today activities of petitioner's partnership firm, namely, Bawa Net having control room at No.19, Chinnakadai, Pallapatti, Karur-639 205, from implementing Digital Addressable System to their local cable TV operators, as per the MSO license dated 15.03.2016 and representation dated 04.08.2017.

2.Heard Mr.B.Prasanna Vinoth, learned counsel appearing for the petitioner, Mr.R.Nandakumar, learned Senior Central Government Standing Counsel, who took notice for first respondent, Mr.A.Muthukaruppan, learned Additional Government Pleader, who took notice for second respondent and Mr.S.Gunasekaran, who took notice for respondent Nos. 3 and 4 and perused the materials placed before this Court.

3.The learned counsel for the respondents 3 and 4 would submit that the deponent namely, D.G.V.P.Sekar, is a Local Cable TV Operator under the third respondent. Due to non payment of arrears towards subscription, the respondents 3 and 4 took steps to recover the arrear amount.

4. It is further submitted that the respondents 3 and 4 would not interfere with in the business run by the petitioner in the place, where he is running the business i.e at No.19, Chinnakadai, Pallapatti, Karur-639 205.

5.The learned counsel for the petitioner would submit that the respondents 3 and 4 could be permitted to initiate proceedings to recover the amount in the manner known to law.

6.In the light of the above submission, no further adjudication is necessary in this writ petition. Hence, this writ petition is disposed of with liberty to recover the arrears in accordance with law. No costs. Consequently, Connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar(crl side)

/True Copy/



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Karur,
Karur District.

+1cc to Mr.B.Prasanna Vinoth, Advocate Sr.No.74516
+1cc to Mr.R.Nandhakumar, Advocate Sr.No.74560
+1cc to Mr.S.Gunasekaran, Advocate Sr.No.74747
+1cc to Spl.Government Pleader Sr.No.74802

SKN

VB/GT/SAR3/12/09/2017/3P/9C

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