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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED : 30.08.2017
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THE HONOURABLE MR.JUSTICE K.KALYANASUNDARAM

W.P.(MD)No.16295 of 2017
and
W.M.P.(MD).Nos.12956 & 12957 of 2017

N.Arumuga Kani ... Petitioner

Vs.

1.The Managing Director,
Arasu Cable TV Corporation Ltd.,
34/123, 6th Floor, Dukar Tower,
Marsal Salai, Chennai-600 008.

2.The Special Tahsildar,
Tamil Nadu Cable TV Corporation Ltd.,
Tirunelveli District. ... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Certiorari calling for the records relating to the impugned demand notice in proceedings No.007461/18431/2017/66 dated 21.06.2017 passed by the 1st respondent and quash the same.

For Petitioner :Mr.B.Prasanna Vinoth
For Respondents :Mr.S.Gunasekaran

ORDER

Challenging the impugned order passed by the first respondent in his proceedings No.007461/18431/2017/66 dated 21.06.2017, the present writ petition has been filed.

2.The petitioner would claim that the petitioner is a Local cable TV Operator. The petitioner, originally while registering with the respondents, had registered showing 360 customer points and all of a sudden in December 2012, the first respondent increased the petitioner's customer points to 450 without any notice.

3.The petitioner would further claim that the second respondent is not providing signals properly and also without conducting any survey, passed the impugned order in violation of TRAI regulations.

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.2,63,225/-.

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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 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 eight 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(Records)

/True Copy/

Sub Assistant Registrar.

To
1.The Managing Director, Arasu Cable TV Corporation Ltd.,
34/123, 6th Floor,Dukar Tower,Marsal Salai,Chennai-600 008.
2.The Special Tahsildar,Tamil Nadu Cable TV Corporation Ltd.,
Tirunelveli District.
+1CC to Mr.B.Prasanna Vinoth, Advocate, SR.No. 75383

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and
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