



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 06.09.2017

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

W.P. (MD) No.16812 of 2017

and

W.P.M. (MD) .Nos.13415 & 13416 of 2017

V.C.Stalin

... Petitioner

Vs.

1.The Managing Director,  
Tamil Nadu Arasu Cable TV Corporation Limited,  
34/123, 6<sup>th</sup> Floor,  
Dukar Tower,  
Marshal Salai,  
Chennai - 600 008.

2.The Special Tahsildar,  
Tamil Nadu Arasu Cable TV Corporation Limited,  
Theni District. ...Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Certiorarai calling for the records relating to the impugned demand notice in proceedings No.007461/11425/2017/66, dated 21.6.2017 passed by the first respondent and to quash the same.

For Petitioner :M/s.B.Prasanna Vinoth  
For Respondents :Mr.S.Gunasekaran

ORDER

Challenging the impugned order passed by the first respondent in his proceedings No..007461/11425/2017/66, dated 21.6.2017,the present writ petition has been filed.

2.The case of the petitioner is that he is running Cable TV Business in the name and style of Blue Star Cables(LCO No.11425), Dharmapurai Main Road, Kottur post, Thenii District as authorized Local Cable Operator (LCO) by the respondents. The petitioner got services from the Theni Government MSO only from the month of September 2011. Thus, the respondents are entitled to collect subscription fee only from the month of September 2011. While



so, the first respondent issued impugned notice No.007461/11425/2017/66, dated 21.6.2017 in violation of Principles of natural justice arrears of subscription amount of Rs.2,33,751/- and the said 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.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.2,33,751/-.

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 second respondent/ Special Tahsildar, Tamil Nadu Arasu Cable TV Corporation Limited,Theni District and submit relevant records. On receipt of such relevant records, the second respondent/Special Tahsildar, Tamil Nadu Arasu Cable TV Corporation Limited, Theni District 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(CSI)

/True Copy/



To

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2.The Special Tahsildar,  
Tamil Nadu Arasu Cable TV Corporation Limited,  
Theni District.

+One cc to Mr.B.Prasanna Vinoth, Advocate, SR.No.77042

+One cc to Mr.S.Guna sekaran, Advocate, SR.No.77129

vsn

RL/5C/3P/KP/SAR1/25/9/2017

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