



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 06.09.2017

CORAM:

THE HONOURABLE MR. JUSTICE K. KALYANASUNDARAM

W.P(MD)No.16856 of 2017

P. Balakrishnan

... Petitioner

Vs.

1. The Managing Director,
Tamil Nadu ARASU Cable T.V. Corporation Ltd.,
Thugar Towers, 34(123), 6th Floor,
Marshal Road, Elumbur,
Chennai - 600 008.

2. The Deputy Manager/Special Tahsildar,
Tamil Nadu ARASU Cable T.V. Corporation Ltd.,
Ellis Nagar,
Madurai-625 016.

3. The District Cable Operator,
Tamil Nadu ARASU Cable T.V. Corporation Ltd.,
Ellis Nagar,
Madurai-625 016.

4. The Taluk Cable Operator,
Arasu Cable TV Control Room,
Peraiyur Taluk,
Rajammal Fertilizers Complex First Floor,
Main Road, T. Kallupatti,
Peraiyur Taluk,
Madurai District-625 703.

5. The Taluk Cable Operator,
Arasu Cable TV Control Room,
Thirumangalam Taluk,
22/4, Thiruppathi Complex 3rd Floor,
Railway Feeder Road,
Thirumangalam,
Madurai District.

... Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus directing the respondents 1 to 3 to take action against the 4th respondent for unlawfully interfering with the business of the petitioner as a Local Cable Operator in Athangaraipatti, Melathirumanikkam, Elumalai, Madurai District and permit the petitioner to get link for his Cable TV Operation from the 5th respondent.



For Petitioner : M/s.M.Kannan

For Respondents 1 and 2: Mr.S.Gunasekaran
Standing Counsel

For Respondent-4 : Mr.V.Janakiramulu

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ORDER

The petitioner has filed this Writ Petition seeking a direction, directing the respondents 1 to 3 to take action against the 4th respondent for unlawfully interfering with the business of the petitioner as a Local Cable Operator in Athangaraipatti, Melathirumanikkam, Elumalai, Madurai District and permit the petitioner to get link for his Cable TV Operation from the 5th respondent.

2. According to the petitioner, he is a LCO (Local Cable TV Operator) in Athangaraipatti, Melathirumanikkam, Elumalai, Madurai District under the Arasu Cable TV Corporation. The grievance of the petitioner is that the fourth respondent is interfering with his business as a Local Cable Operator. Further, the petitioner made a request to the respondents 1 to 3 permitting him to get link from the 5th respondent. In spite of his representation, respondents 1 to 3 had not taken any steps. Hence, he has filed the present writ petition.

3. The learned counsel for the petitioner submitted that in similar circumstances, this court has allowed the similar prayer and he produced a copy of the order passed in W.P.(MD)Nos.18114...etc 2014 & batch and prayed that similar order may be passed. The relevant portion of the order reads as follows:

"When the matter is taken up for hearing, the learned Standing Counsel appearing for Tamil Nadu Arasu Cable TV Corporation Limited submitted that the respondents have no objection for the prayer sought in all these writ petitions provided that they get signals from the recognised/authorised District Local Cable Operator/Taluk Operator. Further, they should not be in arrears insofar as Tamil Nadu Arasu Cable TV Corporation Limited is concerned."

4. The learned counsel for the respondents 1 and 2 would submit that the Petitioner is a defaulter and he has not paid the subscription to the Tamil Nadu Arasu Cable TV Corporation Limited, therefore, he is not entitled for any indulgence of this Court.

5. In view of the above submissions made by the learned Counsels, the petitioner is permitted to get signals from any of the recognised or authorised District Cable Operator/Taluk Operator but he should not be in arrears to the respondent. Further, the Petitioner undertakes to pay the entire arrears to the Arasu Cable



TV Corporation/first respondent herein. The said arrears amount, if any, shall be paid within a period of two weeks from the date of receipt of a copy of this order. Accordingly, this writ petition is disposed of. There shall be no order as to costs.

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Sd/-
Assistant Registrar(RECORD)

/True Copy/

Sub Assistant Registrar

To

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22/4, Thiruppathi Complex 3rd Floor,
Railway Feeder Road,
Thirumangalam,
Madurai District.

+1cc to Mr.S.GUNA SEKARAN Advocate in SR. No. 77127
+1cc to M/s.V.JANAKIRAMULU Advocate in SR. No. 77601
+1cc to Mr.M.KANNAN Advocate in SR. No. 77057

VSN
JS/JC/SAR.1/5.10.2017/3P-9C