



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 13.09.2017

CORAM

WEB COPY

THE HON'BLE MR.JUSTICE K.KALYANASUNDARAM

W.P. (MD) No.17254 of 2017
and
W.M.P (MD) .No.13805 of 2017

JOY TV
represented by its
Proprietor
Mr.S.Syed Hussain
S/o Dulkarnai Sikkandar,
Having Office at
No.207, H Gandhi Road,
Sivagangai,
Sivagangai District.

... Petitioner

-vs-

1. The Secretary,
Ministry for Information and Broadcasting
Government of India,
2, Krishna Menon Marg,
New Delhi- 110 001.
2. The District Collector/Nodal Officer,
Cable TV,
Sivagangai District,
Sivagangai.
3. The Managing Director,
Arasu Cable TV Corporation Ltd.,
34/123, 6th Floor,
Durga Towers,
Marsal Salai,
Chennai-600 008.
4. The Special Tahsildar,
Tamil Nadu Arasu Cable TV Corporation Ltd.,
Sivagangai,
Sivagangai District.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution
<https://hcservices.e-prolitigation.gov.in/hcservices/>
for issuance of a Writ of Mandamus forbearing the third
and fourth respondents from interfering in day today activities of
petitioner's Proprietary concern, namely JOY TV, having control



room at No.207-H Gandhi Road, Sivagangai, from implementing Digital Addressable System to their local cable TV operators as per the Franchisee agreement dated 06.09.2017, based on the petitioner's representation dated 08.09.2017.

WEB COPY

For Petitioner : Mr.B.Prasanna Vinoth

For R1 : Mr.D.Saravanan

For R2 : Mr.C.Selvaraj,
Special Government Pleader

For R3 & R4 : Mr.S.Gunasekaran

O R D E R

This writ petition is filed for issuance of a Writ of Mandamus forbearing the third and fourth respondents from interfering in day today activities of petitioner's Proprietary concern, namely JOY TV, having control room at No.207-H Gandhi Road, Sivagangai, from implementing Digital Addressable System to their local cable TV operators as per the Franchisee agreement dated 06.09.2017, based on the petitioner's representation dated 08.09.2017.

2.Heard Mr.B.Prasanna Vinoth, learned counsel for the petitioner, Mr.D.Saravanan, learned Standing Counsel appearing for first respondent, Mr.C.Selvaraj, learned Special Government Pleader appearing for second respondent and Mr.S.Gunasekaran, learned counsel for the 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, S.Syed Hussain, 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 within the business run by the petitioner's partnership firm in the place where he is running the business i.e at No.207-H Gandhi Road, Sivagangai.

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.

<https://hcservices.ecourts.gov.in/hcservices/>

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(P&A)

/True Copy/

Sub Assistant Registrar

To

1. The Secretary,
Ministry for Information and Broadcasting
Government of India,
2, Krishna Menon Marg,
New Delhi- 110 001.
 2. The District Collector / Nodal Officer,
Cable TV,
Sivagangai District,
Sivagangai.
 3. The Managing Director,
Arasu Cable TV Corporation Ltd.,
34/123, 6th Floor,
Durga Towers, Marsal Salai,
Chennai-600 008.
 4. The Special Tahsildar,
Tamil Nadu Arasu Cable TV Corporation Ltd.,
Sivagangai, Sivagangai District.
- + 1 cc TO Mr.S.Gunasekaran , Advocate in SR No. 78445
+ 1 cc TO Mr.D.Saravanan , Advocate in SR No. 78499
+ 1 cc TO Mr.B.Prasanna Vinoth , Advocate in SR No. 78517

skn

AE/GT/SAR3/06.10.2017/3P/8C

W.P. (MD) No.17254 of 2017
and

W.M.P (MD) .No.13805 of 2017
13.09.2017