



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 13.09.2017

CORAM:

WEB COPY

THE HONOURABLE MR.JUSTICE K.KALYANASUNDARAM

W.P. (MD) No.17255 of 2017

and

W.M.P. (MD) No.13806 of 2017

Naam Digital Network Private Ltd.,
represented by its
Managing Director,
K.Kannan

... 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, Pudukkottai District,
Pudukkottai.
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.,
Pudukkottai District, Pudukkottai.

... Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus forbearing the third and fourth respondents from interfering in day today activities of petitioner's partnership firm namely Naam Digital Network Private Limited having control room at TS.No.3791/92, South third Street, Pudukkottai, Pudukkottai District from implementing Digital Addressable System to their local cable TV operators as per the Franchisee agreement dated 12.07.2017 based on the petitioner's representation dated 11.08.2017.



For Petitioner : Mr.B.Prasanna Vonoth
For R-1 : Mr.D.Saravanan
For R-2 : Mr.C.Selvaraj
Spl. Govt. Pleader
For R-3 & R-4 : Mr.S.Gunasekaran

WEB COPY

ORDER

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 partnership firm, namely, Naam Digital Network Private Limited having control room at TS.No.3791/92, South third Street, Pudukkottai, Pudukkottai District from implementing Digital Addressable System to their local cable TV operators as per the Franchisee agreement dated 12.07.2017 based on the petitioner's representation dated 11.08.2017.

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, K.Kannan, 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 arrears 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 TS.No.3791/92, South third Street, Pudukkottai, Pudukkottai District.

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/



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, Pudukkottai District,
Pudukkottai.
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.,
Pudukkottai District,
Pudukkottai.

- + 1 CC TO Mr.B.PRASANNA VINOTH, ADVOCATE IN SR No. 78518
- + 1 CC TO Mr.D.SARAVANAN, ADVOCATE IN SR No. 78498
- + 1 CC TO Mr.S.GUNASEKARAN, ADVOCATE IN SR No. 78446

SKN

TE/JC/SAR-I : 06/10/2017 : 3P/8C

W.P.(MD)No.17255 of 2017 and
W.M.P.(MD)No.13806 of 2017
13.09.2017