



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 12.10.2017

CORAM:

THE HONOURABLE MR.JUSTICE R.MAHADEVAN

W.P (MD) No.18527 of 2017

and

W.M.P.Nos.14937 & 14938 of 2017

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Selvam

... Petitioner

Vs.

1. The Managing Director,
Arasu Cable TV Corporation Limited,
No.34 /123, 6th Floor,
Dukar Tower,
Marsal Salai,
Chennai - 600 008.

2. The Special Tahsildar,
Tamil Nadu Arasu Cable TV Corporation Limited,
Tiruchirappalli 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 No.007461/48290/2017/66 dated 21.06.2017 passed by the first respondent and quash the same.

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

ORDER

Challenging the order passed by the first respondent in impugned demand notice No.007461/48290/2017/66 dated 21.06.2017, the present writ petition has been filed.

2. The case of the petitioner is that he is a Cable TV Operator and he got signal service from the respondents. He would further claim that in the year 2011, he was having 350 customer points and the respondents insisted more number of customer points, with a direction to pay subscription to all customer points. Since the signal was disconnected and after several efforts, the same was restored only after six months. The petitioner would further claim that without conducting any survey, the second respondent passed the impugned order with huge demands in violation of TRAI regulations.



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 regularly and still the petitioner has to pay subscription amount of Rs.1,46,202/-.

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4. This Court, while dealing with the similar issue in the case of G.Arivazhagan Vs. 1.The Managing Director, Arasu Cable TV Corporation Limited, No.34 /123, 6th Floor,Dukar Tower, Marsal Salai,Chennai-600 008. and another, in W.P.(MD)No.15068 of 2017, had passed an order dated 10.08.2017, wherein, it is held as follows:

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 and submit relevant records. On receipt of such relevant records, the second respondent/Special Tahsildar, Tamil Nadu Arasu Cable TV Corporation 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."

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

5.Following the same, this Court, without going into the merits of the case, directs the petitioner to approach the second



respondent/ Special Tahsildar, Tamil Nadu Arasu Cable TV Corporation Ltd., and submit relevant records. On receipt of such relevant records, the second respondent/Special Tahsildar, Tamil Nadu Arasu Cable TV Corporation Ltd., 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.

6. Accordingly, this Writ Petition is disposed of. No costs. Consequently, connected Miscellaneous Petitions are closed.

Sd/-
Assistant Registrar (P&A)

/True copy/

Sub Assistant Registrar

1. The Managing Director,
Arasu Cable TV Corporation Limited,
No.34 /123, 6th Floor,
Dukar Tower,
Marsal Salai,
Chennai - 600 008.
2. The Special Tahsildar,
Tamil Nadu Arasu Cable TV Corporation Limited,
Tiruchirappalli District.

+ 1 CC TO MR.S.Gunasekaran, ADVOCATE IN SR No.82771
rm
MK/MR KKR/SAR-2/31.10.2017/3P/4C

W.P. (MD) No.18527 of 2017
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