



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 31.10.2017

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WEB COPY

THE HONOURABLE MR.JUSTICE R.MAHADEVANW.P(MD) No.19643 of 2017

Saravanan

... Petitioner

-vs-

1. The Managing Director,
Tamil Nadu Arasu Cable TV Corporation Ltd.,
Dugar Towers, 6th Floor,
No.123, Marshal Road,
Egmore, Chennai-600 008.
2. The District Collector,
Collectorate Office,
Pudukkottai-622 205.
3. The District Revenue Officer,
Collector Office Building,
Pudukkottai-622 205.
4. The Revenue Divisional Officer,
Aranthangi Taluk,
Pudukkottai District.
5. The Thasildhar,
Avudaiyar Koil Taluk,
Pudukkottai District-622 001.
6. The Special Thasildhar,
Tamil Nadu Arasu Cable TV Corporation,
Collector Office Campus,
Pudukkottai-622 205,
Pudukkottai District.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the respondents to unlock and remove the seal from the control room of the petitioner.

For Petitioner

: Ms.A.Hafiza

For R1 & R6

: Mr.S.Gunasekaran

<https://hcservices.ecourts.gov.in/Reservices> For R5: Mr.J.Gunaseelan Muthiah
Govt. Advocate

O R D E R

This writ petition has been filed, seeking a direction to the respondents to unlock and remove the seal from the control room of the petitioner. By consent, this writ petition is taken up for final disposal.

2. The case of the petitioner is that he is a Cable TV Operator, having his own control room, retransmitting the Cable TV signals of many broadcasters to his customers through his control room. While so, the revenue authorities have all of a sudden entered into his premises, cut the signals and also sealed his control room illegally on the same day of issuance of notice. It is the further case of the petitioner that the illegal closure of his control room by the respondents will affect his instruments installed therein, which require periodical maintenance. Aggrieved by the overall attitude of the respondents, the petitioner is before this Court.

3. The learned counsel appearing for R1 and R6 would submit that the petitioner is in arrears and he, without surrendering the registration of LCO and without paying the arrear amount, has been running a separate control room by DTH, which is transmitting the signals through illegal mode. Hence, a show cause notice dated 15.06.2017 was issued to the petitioner asking for explanation from him.

4. In reply to the above, the learned counsel for the petitioner would submit that the petitioner has cleared all his dues and the issue involved in this case is squarely covered by the earlier order passed by this Court in the case of Saisiva @ Sivasubramanian and another vs. The district Collector, Theni District and others [W.P.(MD) Nos.17940 and 19191 of 2015] decided on 01.01.2016.

5. Heard the learned counsel for the parties and perused the material available on record.

6. It is worthwhile to refer to the judgment rendered by this Court in the afore-cited case, wherein it has been held as follows:

"21.As a consequence, the order of the second respondent in W.P.(MD) No.19191 of 2015, dated 08.10.2015, is also set aside. The District Collector and the Special Tahsildar cum Deputy Manager, Tamil Nadu Arasu Cable Television Corporation Limited are directed to forthwith remove the seal from the premises of the petitioner and hand over the seized equipments in the same condition in which they were seized. The District Administration will be held responsible for any damage caused to the equipments and we given liberty to the petitioner to work out his remedies if any damage is found."



7. Considering the facts and circumstances of the case and also keeping in mind the earlier order of this Court in similar matter, this writ petition is disposed of, directing the District Collector and the Special Thasildhar, Tamil Nadu Arasu Cable TV Corporation, Pudukkottai to remove the seal from the premises of the petitioner and hand over the seized equipments to the petitioner within a period of two weeks from the date of receipt of a copy of this order, subject to the condition that the petitioner settles the entire arrears, if any. No costs.

Sd/-

Assistant Registrar(Records)

/True Copy/

Sub Assistant Registrar.

To:

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6. The Special Thasildhar,
Tamil Nadu Arasu Cable TV Corporation,
Collector Office Campus,
Pudukkottai-622 205.

+1CC to Mr.S.Gunasekaran, Advocate, SR.No. 84570

+1CC to the Special Government Pleader SR.No.85028

W.P(MD) No.19643 of 2017

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