



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 30.10.2017

CORAM:

THE HONOURABLE MR.JUSTICE **R.MAHADEVAN**

WEB COPY

W.P (MD) No.19893 of 2017

and

W.M.P (MD) No.16160 of 2017

K.Shunmugaiah

.. Petitioner

Vs.

1. The Managing Director,
Arasu Cable TV Corporation Ltd.,
34/123, 6th Floor,
Durga Towers,
Marsal Salai,
Chennai - 600 008.

2. The Special Tahsildar,
Tamil Nadu Arasu Cable TV Corporation Ltd.,
Thoothukudi,
Thoothukudi District.

3. Karthikeyan,
Jothi Cable TV,
5-J, Rajiv Nagar,
Pasuvanthanai Road,
Kovilpatti, Thoothukudi 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 2nd and 3rd respondents to implement the order dated 12.05.2017 and give cable signal to the petitioner based on the order.

For Petitioner : Mr.B.Prasanna Vinoth

For Respondents : Mr.S.Gunasekaran for R.1 & R.2

ORDER

By consent, this writ petition itself is taken up for final disposal.

2. Mr.S.Gunasekaran, learned Counsel takes notice for the respondents.



3. The case of the petitioner is that he is a Cable TV Operator, registered under the first respondent, having LCO No.50102. But, necessary signal service was not provided to him and after some rounds of litigation, the first respondent by communication dated 04.03.2017, directed the second respondent to provide signal service to the petitioner. Based on the same, the second respondent, by order dated 12.05.2017, directed the third respondent to take necessary action at his end to provide signal to the petitioner. In the meanwhile, local association has filed W.P(MD)No.5206 of 2017, stating that the optic fiber line was laid by their association and signal should not be provided to the petitioner through that line. Pending writ petition, the petitioner himself laid his own fiber network and despite the same, the third respondent was not taking any steps to provide signal service to the petitioner. Aggrieved thereby, the petitioner has submitted a representation before the first respondent on 20.06.2017 and as the same is kept pending, without any action, the petitioner is before this Court, seeking the aforesaid relief.

4. Though the prayer sought for in this writ petition is for a larger relief, the learned counsel for the petitioner now confines his prayer to the effect that it would suffice, if the representation of the petitioner dated 20.06.2017, is disposed of, by the first respondent, as per law, within a stipulated time limit.

5. Considering the limited scope of the relief sought for, this Court, without going into the merits of the petitioner's claim, directs the first respondent to consider the representation of the petitioner dated 20.06.2017 and pass appropriate orders on its own merit and in accordance with law, after affording due opportunity of hearing to the petitioner as well as all the interested parties, if any, within a period of six weeks from the date of receipt of a copy of this order.

6. The writ petition is disposed of as above. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(CS-I)

/True Copy/

Sub Assistant Registrar

To

1.The Managing Director,
Arasu Cable TV Corporation Ltd.,
34/123, 6th Floor,
Marsal Salai,
Chennai - 600 008.



2. The Special Tahsildar,
Tamil Nadu Arasu Cable TV Corporation Ltd.,
Thoothukudi,
Thoothukudi District.

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+ 1 cc TO Mr.B.Prasanna Vinoth , Advocate in SR No. 84269
+ 1 cc TO Mr.S.Gunasekaran , Advocate in SR No. 84254

gk

AE/MR KKR/SAR3/10.11.2017/3P/5C

ORDER MADE IN
W.P(MD)No.19893 of 2017
30.10.2017