



W.P.(MD)No.21141 of 2017

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 12.12.2023

CORAM:

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

W.P.(MD)No.21141 of 2017

and

W.M.P.(MD)No.17406 of 2017

1. S.Mukilan
2. P.R.Muthumanickam
3. M.Nagarajan
4. G.Arumugam
5. B.Sridevi
6. S.Nalayini
7. P.Manoharan
8. M.P.Chezhian

... Petitioners

versus

1. The Secretary,
Government of India,
Ministry of Information and Broadcasting,
'A' Wing Shastri Bhavan,
Dr.Rajendra Prasad Road,
New Delhi – 110 001.

2. M/s.Tamil Nadu Arasu Cable TV
Corporation Limited,
Rep. by the General Manager,
“Dugar Towers”, 6th Floor,
Old No.34, New No.123,
Marshalls Road, Egmore,
Chennai – 600 008.

... Respondents



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Writ Petition filed under Article 226 of the Constitution of India, seeking for the issuance of Writ of Mandamus, to direct the 1st respondent to forbear the 2nd respondent from allotting new Local Cable TV Operator in existing Local Cable TV Operator area and allow the petitioners to provide Digital Addressable System Signal to their intending customers and also direct the 1st respondent to take action on the 2nd respondent and its erring officials for disturbing of implementation of Digital Addressable System.

For Petitioners : Mr.B.Prasanna Vinoth

For R1 : Mr.R.Arjuna Rajan,
Central Government Standing Counsel

For R2 : M/s.Annie Abinaya,
Standing Counsel

ORDER

The petitioners have filed this writ petition for a Mandamus directing the first respondent to forbear the second respondent from allotting new Local Cable TV Operator among the existing Local Cable TV Operators and allow them to provide Digital Addressable System Signal to the intending customers and also sought for a direction to the



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first respondent to take action as against the second respondent and its erring officials for disturbing the implementation of Digital Addressable System.

2. Today, when this writ petition is taken up for hearing, the learned counsel for the petitioner submits that the relief sought for in this writ petition becomes infructuous and therefore, he seeks permission of this Court to withdraw this writ petition. He has also made an endorsement to that effect.

3. The learned Standing Counsel appearing for the second respondent/Tamil Nadu Arasu Cable TV Corporation Ltd. submits that this writ petition has been filed by one Mukilan and seven others, who were recognized as Local Cable TV Operators of the Tamil Nadu Arasu Cable TV Corporation Ltd. during the relevant period of time. Excepting the first petitioner, the petitioners 2 to 8 are liable to pay the arrears amount to the Tamil Nadu Arasu Cable TV Corporation Ltd. as



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under:

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(i) P.R.Muthumanickam	-	Rs.1,02,160/-
(ii) M.Nagarajan	-	Rs. 69,120/-
(iii) G.Arumugam	-	Rs.1,54,130/-
(iv) B.Sridevi	-	Rs. 74,058/-
(v) S.Nalayini	-	Rs. 66,000/-
(vi) P.Manoharan	-	Rs.1,49,955/-
(vii) M.P.Chezhan	-	Rs.1,23,881/-

In order to prevent the second respondent from collecting the arrears amount, they have filed this writ petition and obtained an interim order. She has also pointed out that as per the interim order granted by this Court in W.M.P.(MD)No.17406 of 2017 dated 16.11.2017, the petitioners were directed to deposit the entire arrears amount within a period of four weeks, failing which, the interim order shall stand vacated. The first petitioner alone has paid the arrears amount and others have failed to pay the arrears. Now, the petitioners seek permission of this Court to withdraw this writ petition that the relief sought for in the writ petition becomes infructuous. Therefore, she seeks liberty to initiate action as against the petitioners 2 to 8 to recover



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the arrears amount to the Tamil Nadu Arasu Cable TV Corporation.

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4. Considering the endorsement made by the petitioner, this writ petition is dismissed as infructuous with liberty to the second respondent/Tamil Nadu Arasu Cable TV Corporation Ltd., to recover the arrears amount from the petitioners 2 to 8 in the manner known to law. No costs. Consequently, connected miscellaneous petition is closed.

12.12.2023

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NCC : Yes / No.

Index : Yes / No.

Internet : Yes / No.

To

1. The Secretary,
Government of India,
Ministry of Information and Broadcasting,
'A' Wing Shastri Bhavan,
Dr.Rajendra Prasad Road, New Delhi – 110 001.



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B.PUGALENDHI, J.

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2. The General Manager,
M/s.Tamil Nadu Arasu Cable TV
Corporation Limited,
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