

THE HON'BLE SRI JUSTICE A.V. SESA SAI

WRIT PETITION No.7122 OF 2017

ORDER:

This writ petition is filed, under Article 226 of the Constitution of India, for the following relief:

“to pass an order or direction or writ more particularly one in the nature of WRIT OF MANDAMUS declaring the action of the respondents in resorting to removing the cables laid by the petitioner in its area of operation of in and around Polamuru Village, Anaparthi Mandal, East Godavari District as a registered Cable Network Operator by issuing the letter vide Lr.No.AAE/A/Anaparthi/F.No.3/D.No.100/17 dated 09-02-2017 issued by the 5th respondent as contrary to the provisions of Cable Television Networks (Regulation) Act, 1995 and also unconstitutional and for issuance of consequential direction to the respondents not to interfere in any manner with the cable network Operations of the petitioner in and around its area of operation of Polamuru Village, Anaparthi Mandal, East Godavari District.”

2. When the matter is taken up, it is represented by the learned counsel for the petitioner so also the learned standing counsel for the respondents that the issue in the present writ petition is squarely covered by the common order of this Court dated 13.02.2017 passed in W.P.No.1738 of 2017 and batch and a copy of the same is also placed on record along with writ petition as material paper. Penultimate paragraph of the said order reads as under:

“In the light of the above, these Writ Petitions are disposed of, keeping it open for the petitioners to submit their representations to the Chief General Manager (Operations) of the respective Distribution Companies, within one week from the date of receipt of a copy of this order. It is also open for the Chief General Manager (Operations) to consider and take a decision on the representations in accordance with Section 4B of the Act, within two weeks from the date of receipt thereof. Till the decision is taken, interim order, dated 19.01.2017, shall continue. It is made clear that if the petitioners do not approach the Chief General Manager (Operations) in terms of the above order, it is open for the respondents to take action as per law.”

3. Following the above said common order and for the reasons recorded therein, this writ petition is also disposed of, in terms thereof. It is further made clear that if the petitioner herein submits representation, within the time stipulated above, the benefit of the above said common order would enure to the benefit of the petitioner herein. If the petitioner herein does not make any application, as mentioned supra, this order will not enure to the petitioner herein.

4. Miscellaneous petitions pending consideration, if any, in this case shall stand closed in consequence. No order as to costs.

A.V.SESHA SAI, J

01.03.2017
SS