

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24.8.2018

CORAM

THE HONOURABLE MR.JUSTICE HULUVADI G.RAMESH
AND
THE HONOURABLE MR.JUSTICE K.KALYANASUNDARAM

W.A.No.1810 of 2018
and
C.M.P.No.14578 of 2018

V.Nakkiran

Appellant

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 The District Collector/ Nodal Officer
Thiruvarur District
- 3 The Managing Director
Arasu Cable TV Corporation Ltd
34/123 6th Floor Durga Towers
Marsal Salai Chennai-600 008.
- 4 The Special Tahsildar
Tamil Nadu Cable TV Corporation Ltd
Thiruvarur District

Respondents

Prayer: Writ Appeal filed filed under Clause 15 of the Letters Patent against the order dated 25.6.2018 passed in W.P.No.15251 of 2018 on the file of this court.

Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorari to call for the records relating to the impugned show cause notice in Na.Ka. 1/18 dated 07.06.2018 of the 4th respondent and quash the same as illegal.

For appellant : Mr.B.Prasanna Vinoth
For RR3 and 4 : Mr.S.Gunasekaran

JUDGMENT

(Judgment of the court was made by HULUVADI G.RAMESH, J.)

Heard the learned counsel appearing for the appellant/writ petitioner and Mr.S.Gunasekaran, learned counsel, who takes notice on behalf of respondents 3 and 4.

2. It appears that the appellant/writ petitioner is a Cable TV Operator and only on issuance of a show cause notice by the authority, instead of giving a reply, straightway he had approached this court. The learned Single Judge, having found that it is too premature, rightly rejected the case of the appellant/writ petitioner and observed that it is open for the appellant/writ petitioner to offer his explanation.

3. We do not find any illegality or infirmity in the order passed by the learned Single Judge. It is for the appellant/writ petitioner to offer his explanation for the show cause notice within one week from the date of receipt of a copy of this order and in such event, it shall be considered by the authority concerned and decided on merits and in accordance with law within a week thereafter and if the appellant/writ petitioner is aggrieved against such order being passed by the respondent-authority, then cause of action would arise for the appellant/writ petitioner to come before this court or before any other appropriate forum. Till the period as specified above viz., for a period of fifteen days or a decision is taken by the respondent-authority, whichever is later, no coercive steps shall be taken by the respondent-authority as against the appellant/writ petitioner.

4. With the above observation, the writ appeal is disposed of. No costs. The connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(CS II)

//True copy//

सत्यमेव जयते

Sub Assistant Registrar

ssk.

To:

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

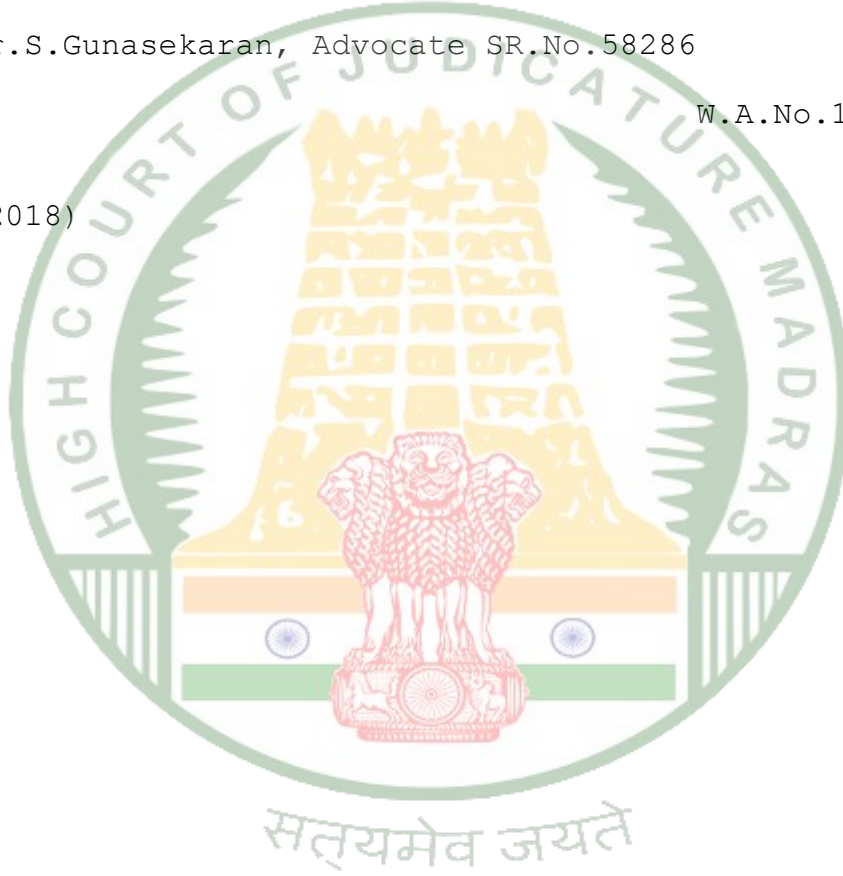
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- 2 The District Collector/ Nodal Officer
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- 4 The Special Tahsildar
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Thiruvarur District

+1cc to Mr.S.Gunasekaran, Advocate SR.No.58286

W.A.No.1810 of 2018

KS (CO)
GN (29/08/2018)



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