

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 19.03.2018

CORAM:

THE HONOURABLE MR. JUSTICE K.KALYANASUNDARAM

W.P. No.21056 of 2013 &
M.P.No.1 of 2013

Suresh

.. Petitioner

Vs.

1. Tamil Nadu Slum Clearance Board,
Rep. by its Managing Director,
5, Kamarajar Salai,
Chennai - 600 005.

2. Tamil Nadu Slum Clearance Board,
Rep. by its Estate Officer,
Semmencherry,
Chennai - 600 119.

.. Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Certiorarified Mandamus, to call for the records relating to the proceedings made in Letter No.ef/vz;//18/m/ v/m//10/13, dated 02.07.2013 and quash the same and direct the respondent to fix the fees for cable connection proportionate to number of houses under cable connection with petitioner.

For Petitioner : Mr.C.B.Santhosh Kumar

For Respondents : Mr.N.Dorai Kannan

Standing Counsel

O R D E R

The petitioner challenges the notification issued by the respondents demanding payment of Rs.1,92,000/- as subscription fee.

2. According to the petitioner, he is a Local Cable TV Operator. The respondent constructed new houses in Semmencherry and he was given permission to provide cable TV connection to 200 houses, but only 70 house owners have availed the service provided by the petitioner. The respondents have issued the demand notice based on the total house allotted to the petitioner.

3. The grievance of the petitioner is that the impugned order has been passed in violation of principles of natural justice. The learned counsel for the petitioner submitted that if an opportunity is given to the petitioner, he is ready to furnish all materials before the respondents.

4. The perusal of the impugned order shows that the respondents demanded arrears based on the total allotment made in favour of the petitioner. It is further seen that before passing the order, no opportunity was afforded to the petitioner.

5. In the light of the above, the order impugned in this Writ Petition is set aside and the matter is remitted back to the respondents for considering afresh. The respondents shall pass orders after providing opportunity to the petitioner on merits and in accordance with law.

6. Accordingly, the Writ Petition is allowed. There is no order as to costs. Consequently, connected miscellaneous petition is closed.

s/d-
Assistant Registrar

True Copy

Sub-Assistant Registrar

r n s

+1 CC to Mr.C. Santhoshkumar, Advocate sr 21453.

सत्यमेव जयते

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SP(06/04/2018)