

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT****DATED: 27.04.2018****CORAM:****THE HONOURABLE MR.JUSTICE M.S.RAMESH****W.P. (MD) No.9740 of 2018**

P.Kailasam

... Petitioner

vs.

1. The Managing Director,
Arasu Cable TV Corporation Limited
Dugar Towers,
34 (123) 6th Floor,
Marshalls Road,
Egmore,
Chennai - 600 008.
2. The Special Tahsildar / Deputy Manager,
Tamil Nadu Arasu Cable TV Corporation,
Tirunelveli District,
Pumbukar Building,
Junction,
Tirunelveli.

3.Radhakrishnan

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the 1st respondent to take action against the 3rd respondent for illegally encroaching upon the petitioner's LCO area in LCO No. 49097 and direct the 2nd respondent to recover the monthly subscription for 2600 customers which was suppressed by the 3rd respondent illegally based on the petitioner's representation dated 31.01.2018.

For Petitioner : Mr.B.Prasanna Vinoth
For Respondents : Mr.S.Gunasekaran for R1 and R2
Government Advocate

O R D E R

Mr.S.Gunasekaran, learned Government Advocate, takes notice for the respondents No.1 and 2. Notice to the respondent No.3 is dispensed with in view of nature of the order to be passed by this Court.



2. By consent of both parties, this writ petition is taken up for final disposal at the stage of admission itself.

3. It is the grievance of the petitioner that his representation dated 31.01.2018 seeking to to recover the monthly subscription for 2600 customers which was suppressed by the 3rd respondent illegally, has not been considered by the respondent No.2 till date and therefore, he has filed the present writ petition.

4. This Court has not expressed any of its view with regard to the merits of the representation made by the petitioner. It is needless to point out that whenever a representation of this nature is made, the respondents are duty bound to consider the same in one way or the other. Non-consideration of the same would amount to dereliction of ordinary duties of their office and as such, this Court would be justified in invoking its powers conferred under Article 226 of the Constitution of India to direct them to consider the petitioner's representation within a stipulated time.

5. In view of the limited prayer sought for in this writ petition, there shall be a direction to the second respondent to consider the petitioner's representation dated 31.01.2018 on its own merits and take further action in accordance with law, within a period of six weeks from the date of receipt of a copy of this order. Such an exercise shall be done after giving due opportunity to the petitioner as well as to the respondent No.3 and any other persons who may be interested in the subject matter.

6. With the above direction, this writ petition is disposed of. No costs.

Sd/-

Assistant Registrar(AE)

/True Copy/

Sub Assistant Registrar

To:

1. The Managing Director,
Arasu Cable TV Corporation Limited
Dugar Towers,
34 (123) 6th Floor,
Marshalls Road,
Egmore,

<https://hcservices.ecourts.gov.in/hcservices/>
Chennai - 600 008.



2.The Special Tahsildar / Deputy Manager,
Tamil Nadu Arasu Cable TV Corporation,
Tirunelveli District,
Pumbukar Building,
Junction,
Tirunelveli.

+ 1 cc TO Mr.S.Guna Sekaran , Advocate in SR No. 63869

TM

AE/KKR/SAR2/16.05.2018/3P/4C

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27.04.2018