



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED : 28.04.2018
CORAM

THE HONOURABLE MR.JUSTICE M.S.RAMESH

WEB COPY

W.P.(MD)No.10316 of 2018
and
W.M.P.(MD)No.9339 of 2018

R.Selvam : Petitioner
Vs.

1.Tamil Nadu Arasu Cable TV Corporation Limited,
Represented by its Managing Director,
Dugar Towers, 34 (123) 6th Floor,
Marshalls Road, Egmore, Chennai-600 008.

2.The District Collector,
Ramanathapuram District.

3.The Deputy Manager / Special Tahsildar,
Tamil Nadu Arasu Cable TV Corporation Limited,
Ramanathapuram District.

4.M.Gopal : Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus, to direct the second and third respondents to take appropriate action against the fourth respondent to seize the equipments used by him at Abiraman, for the illegal transmission of the analogue singles, as under Section 11 of the Cable TV Net work Act, by disposing the petitioner's representation Nil.

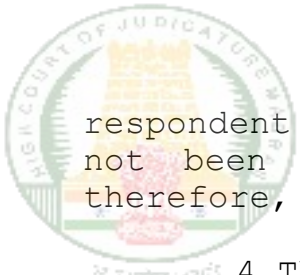
For Petitioner	: Mr.R.Suriyanarayanan
For R1 and R3	: Mr.S.Gunasekaran
For R2	: Mr.V.Anand, Government Advocate.

ORDER

Heard Mr.R.Suriyanarayanan, learned counsel appearing for the petitioner, Mr.S.Gunasekaran, learned counsel, who takes notice on behalf of the respondents 1 and 3 and Mr.V.Anand, learned Government Advocate, who takes notice on behalf of the second respondent.

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, to take appropriate action against the fourth



respondent for the illegal transmission of the analogue singles, has not been considered by the respondents 1 to 3 till date and therefore, 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 other. Non consideration of the same would amount to dereliction of their ordinary duties of their office and as such this Court would be justified in invoking its powers 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 third respondent to consider the petitioner's representation, which has been acknowledged by the third respondent dated 05.04.2018 on its own merits and take further action in accordance with law, within a period of eight weeks from the date of receipt of a copy of this order. Such an exercise shall be done, after giving due opportunity to the fourth respondent.

6. With the above direction, this writ petition is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (Writs)

/True Copy/

Sub Assistant Registrar

To

The District Collector,
Ramanathapuram District.

+1cc to M/S.R.Suriyanarayanan, Advocate SR.No. 64626
+1cc to M/S.S.Gunasekaran, Advocate SR.No. 64660

W.P. (MD) No. 10316 of 2018
28.04.2018

myr

JM/SV MMS/SAR 2/17.05.2018/2P/4C