

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 29.07.2019

CORAM

THE HONOURABLE Mr.JUSTICE M.DHANDAPANI

W.P. 42225 of 2002

and

W.P.M.P. 62343 of 2002

Tamil Nadu Cable T.V.Operators
Welfare Association,
Thiruvannamalai District Wing,
rep. by its President,
Mr.V.L.Tamilselvan,
No.74, Balu Udayar Street,
Vandavasi-604 408.
Thiruvannamalai District.

... Petitioner

Vs

1. The State of Tamil Nadu,
rep. by its Secretary,
Municipal Administration and
Water Supply Department,
Fort St. George,
Chennai.
2. State of Tamil Nadu,
rep. by its Secretary,
Rural Development and Local
Administration Department,
Fort St. George,
Chennai.
3. The District Collector,
Thiruvannamalai,
Thiruvannamalai District.

4. The Assistant Director,
Town Panchayats,
Thiruvannamalai & Vellore
Panchayats Division,
Vellore, Vellore Dt.

... Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Declaration, declaring the Tamil Nadu Municipalities Television Cables Installation Regulation Rules, 2000 framed by the 2nd respondent and notified in G.O.Ms.No.58, Municipal Administration and Water Supply (MAIV) dated 04.05.2000 as ultra vires, illegal and invalid so far as the petitioner is concerned and directing the

respondents herein to issue appropriate directions to the Commissioner/Executive Authorities of the Municipalities and Village Panchayats to exercise their powers only in accordance with law.

For Petitioner : Mr.R.Subramanian
For Respondents : Mrs.K.Bhuvaneswari,
Addl. Govt. Pleader

O R D E R

This Writ Petition has been filed seeking a declaration declaring the Tamil Nadu Municipalities Television Cables Installation Regulation Rules, 2000 framed by the 2nd respondent and notified in G.O.Ms.No.58, Municipal Administration and Water Supply (MAIV) dated 04.05.2000 as ultra vires, illegal and invalid so far as the petitioner is concerned and directing the respondents herein to issue appropriate directions to the Commissioner/Executive Authorities of the Municipalities and Village Panchayats to exercise their powers only in accordance with law.

2. The Tamil Nadu Municipalities Television Cables Installation Regulation Rules 2000 notified in G.O.Ms.No.58, Municipal Administration and Water Supply (MAIV), dated 04.05.2000 is under challenge.

3. Earlier, the very same provision was challenged in a batch of Writ Petitions in W.P.Nos.8099 to 8105 of 203 (E.Gurusamy Vs. The State of Tamil Nadu, represented by its Secretary, Municipal Administration and Water Supply Department, Fort St. George, Chennai and two others) and dismissed on 07.06.2011, following the earlier order dated 29.10.2003 passed in W.P.No.2812 of 2003 batch (K.Senthilkumar Vs. State of Tamil Nadu and others) wherein the vires of the Act was challenged and the Writ Petitions were dismissed.

4. In view of the earlier decision as above, the present Writ Petition fails and the same is dismissed. Accordingly, the Writ Petition stands dismissed. No costs. Consequently, the connected Writ Petition Miscellaneous Petition is closed.

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Sd/-
Assistant Registrar(CS VI)

//True Copy//

Sub Assistant Registrar

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To

1. The Secretary,
State of Tamil Nadu,
Municipal Administration and
Water Supply Department,
Fort St. George, Chennai.

2. The Secretary,
State of Tamil Nadu,
Rural Development and Local
Administration Department,
Fort St. George, Chennai.

3. The District Collector,
Thiruvannamalai District.

4. The Assistant Director,
Town Panchayats,
Thiruvannamalai & Vellore
Panchayats Division, Vellore Dt.

+1cc to Government Pleader sr.65065

W.P. 42225 of 2002
and
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nr 24/09/2019



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