

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 11.04.2019

CORAM

THE HONOURABLE MR. JUSTICE K.RAVICHANDRABAABU

W.P.No.31098 of 2018

S.Anitha

... Petitioner

Vs

1. Managing Director,
Tamil Nadu Arasu Cable Television
(TACTV)
Tamil Nadu Government Undertaking,
Dugar Towers, 6th Floor,
No.34, (123), Marshals Court,
Egmore,
Chennai - 600 008.
2. General Manager (Administration)
Tamil Nadu Arasu Cable Television
(TACTV)
Tamil Nadu Government Undertaking,
Dugar Towers, 6th Floor,
No.34, (123), Marshals Court,
Egmore,
Chennai - 600 008.
3. District Manager,
Tamil Nadu Arasu Cable Television
(TACTV)
Tamil Nadu Government Undertaking,
Dugar Towers, 6th Floor,
No.34, (123), Marshals Court,
Egmore,
Chennai - 600 008.
4. Area Manager,
Tamil Nadu Arasu Cable Television
(TACTV)
Tamil Nadu Government Undertaking,
Dugar Towers, 6th Floor,
No.34, (123), Marshals Court,
Egmore,
Chennai - 600 008.

5. Alexander, V MLA,
S/o Veerannan
No.20/79, Jeevan Bheema Nagar,
Anna Nagar West,
Chennai - 600 101.

6. Sundara Pandian, DCO
C/o Alexander
No.20/79, Jeevan Bheema Nagar,
Anna Nagar West,
Chennai - 600 101.

... Respondents

Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the respondents 1 to 4 herein to provide signal connection to the petitioner herein who has registered office at No.65/101, North Railway Station, Sivalingapuram, Korattur, Chennai - 600 076 and having temporary Registration Number 103225 given by TAC T.V as expeditiously as possible.

For Petitioner : Mr.R.M.D.Nazarullah

For Respondents : Mr.S.Gunasekaran,
Standing Counsel for R1 to R4
Mr.T.Arivarasan for R5.

O R D E R

This writ petition is filed seeking for a Mandamus directing the respondents 1 to 4 herein to provide signal connection to the petitioner herein who has registered office at No.65/101, North Railway Station, Sivalingapuram, Korattur, Chennai - 600 076 and having temporary Registration Number 103225 given by TAC T.V. as expeditiously as possible.

2. The case of the petitioner in short is as follows:

She is a registered cable TV operator and running Cable Television Network at Korattur for a period of 12 months from 15.06.2017 to 14.06.2018 and subsequently, she renewed the same for a further period from 15.06.2018 to 14.06.2019. Her registration number is 1187/2018. She applied for registration for TAC TV, namely, Tamil Nadu Arasu Cable Television Corporation on 05.10.2017 and she was given temporary registration number viz., Reg.No.103225, on 07.04.2018, subject to certain conditions. After getting temporary registration number, she contacted the then Area Manager, Mr.Niiwas, for signal connection on 19.04.2018 who informed her that 'Set Top Boxes' were not in stock and signal connection will be given on arrival of the said stock. After one month, again she contacted

the Area Manager and learnt that Set Top Boxes were available. Subsequently, one Mr.Venkat belonging to Area office visited the petitioner's office and informed that signal connection will be given soon, however, no connection was given. To her shock and surprise, Mr.Niwas informed that the 5th and 6th respondents have instructed him not to give signal connection to her. The 5th respondent is a member of Tamilnadu Legislative Assembly and he is in no way connected with TAC TV business. The 6th respondent is the relative of the 5th respondent. Aggrieved by the illegal refusal on the part of the 1st to 4th respondents to give signal connection of TAC TV operation, the petitioner caused a legal notice dated 30.06.2018 to the respondents. However, they do not choose to give any reply. Hence, she made a detailed representation on 28.09.2018 to the respondents. Since the said representation has not been considered so far, this writ petition is filed with the relief as stated supra.

3. Heard the learned counsel for the petitioner, the learned Standing counsel appearing for 1st to 4th respondents and the learned counsel appearing for the 5th respondent.

4. The grievance of the petitioner before this Court is that the said representation has not been considered by the respondents 1 to 4 so far.

5. This Court, at this stage, is not expressing any view on the merits of the claim made by the petitioner, as it is for the 4th respondent to consider and decide the same on merits and in accordance with law. Accordingly, this Writ Petition is disposed of, only by directing the 4th respondent to consider the representation dated 28.09.2018 and pass orders on the same on merits and in accordance with law, after hearing the petitioner, the 5th and 6th respondents and other interested parties, if any. Such exercise shall be done by the 4th respondent within a period of four weeks from the date of receipt of a copy of this order. No costs.

Sd/-
Deputy Registrar (C.S)

//True Copy//

Sub Assistant Registrar

vsi

To

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+1 cc to Mr.T.Arivarasan, Advocate, S.R.No.36750
+1cc to Mr.K.V.Shanmuganathan, Advocate SR.No. 37009
(13/05/2019)

W.P.No.31098 of 2018

JP(CO)
SSM(15/04/2019).

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