



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 24.04.2019

CORAM:

THE HONOURABLE MR.JUSTICE **G.R.SWAMINATHAN**

W.P. (MD) No.1010 of 2019

and

W.M.P (MD) .Nos.849 and 850 of 2019

M.Muthu Lakshmi

... Petitioner

Vs

1.The Managing Director/Deputy Collector (Administration),
Tamil Nadu Arasu Cable TV Corporation Limited,
34/123, Dhugar Towers 6th Floor,
Marshals Road, Chennai-8.

2.The Special Tahsildar/Deputy Manager,
Tamil Nadu Arasu Cable TV Corporation Ltd.,
Madurai, Madurai District-20.

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India to issue a Writ of Certiorarified Mandamus, to call for the records pertaining to the impugned order in Na.Ka.No.B23/6705/2018 dated 08.11.2018 on the file of the first respondent and quash the same as illegal and consequently grant of license (Local Cable Operator) to the petitioner under the Cable Television Network (Regulation) Act, 1995 within the time frame stipulated by this Court.

For Petitioner : Mr.T.Lajapathi Roy

For Respondents : Mr.S.Gunasekaran

ORDER

Heard the learned counsel appearing for the writ petitioner, the learned Standing counsel appearing for the Tamil Nadu Arasu Cable TV Corporation and Mr.Gnanagurunathan, representing one Panchavarnam, who is existing Local Cable TV Operator under Arasu Cable TV Corporation. The writ petitioner has been granted Registration Certificate by the Postmaster, Periakulam. The petitioner wants to be Local Cable TV Operator under Arasu Cable TV Corporation. The petitioner's request was rejected by the Corporation on the ground that their existing customers are adequately taken care by Ms.Panchavarnam, who is already operating in the Village in question.

2. According to the respondents, the Village of Vandari has already reached the saturation point in this regard and that there is no scope for appointing a second Cable TV Operator by Arasu Cable TV Corporation Limited.



3. I am of the view that Arasu Cable TV Corporation Limited cannot be compelled to recognise the writ petitioner as the second Local Cable TV Operator, when they are already having an Operator in the Village in question. The order passed by the first respondent is sustained. At this stage, the petitioner submitted that she is acting as a Local Cable TV Operator under another MSO by name Akshaya Digital Cable TV Private Limited. If that is so, she can continue to act as Local Cable TV Operator under the said MSO. It is not for Arasu Cable TV Corporation Limited to interfere with running of the petitioner's business under the other MSO.

4. The Writ Petition is dismissed, accordingly. No costs. Consequently, connected Miscellaneous Petitions are closed.

Sd/-

Assistant Registrar ()

// True Copy //

Sub Assistant Registrar (CS)

rmk

+2CC TO MR.S.GUNASEKARAN, Advocate Sr. No.62257
+1CC TO MR.T.LAJAPATHI ROY, Advocate Sr. No. 62822
+1CC TO MR.M.GNANAGURUNATHAN, Advocate Sr. No.62492

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DB (CO)
TR (23.05.2019) 2P 5C