



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 17.09.2019
CORAM:

THE HONOURABLE MR.JUSTICE M.SUNDAR

W.P(MD)No.17954 of 2019
and
W.M.P(MD)No.14424 of 2019

Selvam

... Petitioner

vs.

1.The Secretary,
The Ministry for Information and Broadcasting,
Government of India,
2, Krishna Menon Marg,
New Delhi - 110 001.

2.The Managing Director,
Arasu Cable TV Corporation Limited,
34/123, 6th Floor,
Dukar Tower,
Marsal Salai,
Chennai - 600 008.

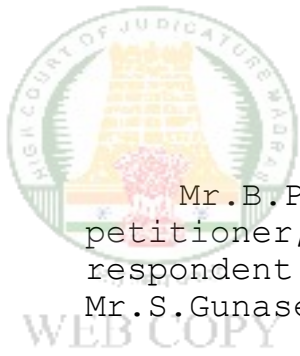
3.The Special Tahsildar / Assistant Manager,
Tamil Nadu Cable TV Corporation Limited,
Tiruchirappalli District.

4.Prakash,
The Special Tahsildar / Assistant Manager,
Tamil Nadu Cable TV Corporation Limited,
Tiruchirappalli District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, to direct the respondents to consider the petitioner's representation dated 03.08.2019 to direct the first respondent to take action on the second to fourth respondents for disturbing the petitioner's cable business based on the representation of the petitioner dated 03.08.2019.

For Petitioner	: Mr.B.Prasanna Vinoth
For R - 1	: Mr.R.Vijayarajan, Senior panel counsel
For RR 2 to 4	: Mr.J.S.Prakash for Mr.S.Gunasekaran Standing counsel



ORDER

Mr.B.Prasanna Vinoth, learned counsel on record for writ petitioner, Mr.R.Vijayarajan, learned Senior Panel Counsel for first respondent and Mr.J.S.Prakash, learned counsel representing for Mr.S.Gunasekaran, learned Standing counsel are before this Court.

2.With consent of learned counsel on both sides, main writ petition is taken up, heard out and is being disposed of.

3. The main writ petition turns on a very narrow compass, as it is one seeking mandamus qua disposal of writ petitioner's representation dated 03.08.2019 wherein writ petitioner has made a plea regarding his business as a 'Local Cable Operator' (hereinafter 'LCO' for brevity).

4. Notwithstanding several averments made in the affidavit filed in support of the writ petition, notwithstanding several grounds raised / contentions urged in the affidavit filed in support of instant writ petition, learned counsel for writ petitioner abridges the scope of the writ petition and submits that it will suffice if the first respondent is directed to dispose of the aforementioned representation of the writ petitioner, dated 03.08.2019 on its own merits and in accordance with law.

5. Mr.J.S.Prakash, learned counsel representing Mr.S.Gunasekaran, learned Standing counsel for 'Tamil Nadu Arasu Cable TV Corporation Limited' submits, on instructions, that respondents 2 to 4 have not lodged any criminal complaint and have not initiated any proceedings against the writ petitioner.

6. Learned Standing counsel submitted that the first respondent is the authority who shall consider the aforementioned representation dated 03.08.2019 made by the writ petitioner (page Nos.36 & 37 of the typed set of papers forming part of the case file).

7. The aforesaid representation dated 03.08.2019 shall be disposed of by the first respondent on its own merits and in accordance with law as expeditiously as possible and in any event, within a period of eight weeks from the date of receipt of a copy of this order.

8. Though obvious, respondents 2 to 4 shall remain bound by the manner, in which first respondent disposes of the representation.

9. It is made clear that in the course of the representation being considered by the first respondent, if the rights of any other third party / parties or any other third party entity / entities is / are likely to be affected, the first respondent shall give



reasonable opportunity to such third party / parties or any other third party entity / entities, before disposing of the aforementioned writ petitioner's representation. Though obvious, it is made clear that this Court has not expressed any opinion or view on the merits of the matter.

10. The proceeding / order of disposal shall be communicated by the office of the first respondent to the writ petitioner under due acknowledgement within seven working days from the completion of aforesaid exercise.

11. Instant Writ Petition is disposed of with the above directions. No costs. Consequently, connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar (CO)

// True Copy //

Sub Assistant Registrar(CS)

To

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3.The Special Tahsildar / Assistant Manager,
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+1 CC to Mr.S.GUNASEKARAN, Advocate (SR-87670[F] dated 19/09/2019)

W.P (MD) No.17954 of 2019
17.09.2019

PS

MK (25.09.2019) 3P 5C