



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 02.12.2019

CORAM:

THE HONOURABLE MR.JUSTICE S.S. SUNDAR

W.P.(MD).No.11496 of 2015

S.Ramaiah

.. Petitioner

Vs.

1.The Chairman,

Tamil Nadu Arasu Cable TV Corporation Limited,
11/22, Mangadu Sami Street,
Nungambakkam, Chennai- 600 034.

2.The District Manager/Tasildhar

Tamil Nadu Arasu Cable TV Corporation Limited,
Tiruchirappalli District,
Junction, Trichy.

.. Respondents

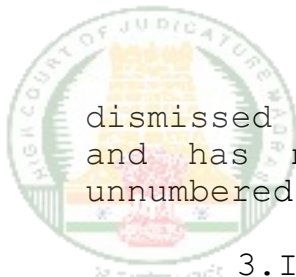
Prayer: Writ Petition filed under Article 226 of the Constitution of India, for the issuance of Writ of Mandamus, directing the 1st respondent to consider the petitioner's Local Cable Operator (LCO) application, dated 01.12.2014, and pass orders to grant Local Cable Operator License to the petitioner in the Nettavelampatti Village, Patchaiperalumpatti Post, Thuraiyur Taluk, Trichy District, by considering the petitioner's representation, dated 20.06.2015, within the period stipulated by this Court.

For Petitioner : Mr.A.Haja Mohideen

ORDER

This writ petition is filed for issuance of Writ of Mandamus, directing the 1st respondent to consider the petitioner's Local Cable Operator (LCO) application, dated 01.12.2014, and pass orders to grant Local Cable Operator License to the petitioner in the Nettavelampatti Village, Patchaiperalumpatti Post, Thuraiyur Taluk, Trichy District, by considering the petitioner's representation, dated 20.06.2015, within the period stipulated by this Court.

2.In the representation, the petitioner has only stated that he has filed an application for giving license to the petitioner to carry on his business as Cable TV Operator. It is admitted by the petitioner that no such license was given to the petitioner. However, the petitioner himself states that he is carrying on business by giving Cable TV connections to more than 100 subscribers. The petitioner has filed a writ petition earlier in W.P.(MD).No.4654 of 2015 regarding his license to Cable TV Operator and the said petition was dismissed. Further appeal was also



dismissed at the SR stage. The petitioner has not given any reason and has not produced the order passed by this Court in the unnumbered writ appeal.

3.It is seen that the petitioner's earlier writ petition was dismissed as withdrawn with the following observation.

"In view of the above, this writ petition is dismissed as withdrawn. While doing so, it is made clear that the petitioner will not file any other writ petition arising out of the same cause of action, as he has already suppressed regarding his prior dismissal of his case. Consequently, the connected miscellaneous petition is closed. No costs."

4.It is seen that the petitioner is in the habit of filing writ petitions one after another without disclosing relevant facts dismissal/disposal of the writ petitions on merits. No notice was issued in the writ petition as the petitioner wanted an adjournment on the first hearing. When the matter appears in the list today, the petitioner again seeks time. Considering the fact that the writ petition is pending unnecessarily for more than four years even without issuing notice to the respondent, this Court has taken up the matter and dispose of it with the consent of the petitioner.

5.This Court is not inclined to entertain this writ petition as the purpose of this writ appears to be to carry on business without licence only by showing the pendency of writ petition. Since this Court while dismissing the earlier writ petition made it clear that the petitioner shall not file any writ petition arising out of same cause of action, this Writ petition is dismissed. No costs.

Sd/-

Assistant Registrar (crl side)

// True Copy //

Sub Assistant Registrar(CS)

TM

+1 CC to Mr.A.HAJAMOHIDEEN, Advocate (SR-103040[F]dated 02/12/2019)

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