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IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 30.07.2021

Coram

THE HONOURABLE MR. JUSTICE R. MAHADEVAN

Writ Petition No. 30 and 31 of 2018
and

WMP Nos. 36 and 37 of 2018

WP No. 30 of 2018

Viruthagiri Digital Network
represented by its Authorised Partner
M. Velmurugan
Son of Munusamy
New No.94C, Krishna Complex
2nd Floor, Ayuyar Madam Veethi
Virdhachalam
Cuddalore District
Tamil Nadu

..Petitioner

Versus

1. The Secretary
The Ministry for Information and Broadcasting
Government of India
2, Krishna Menon Marg
New Delhi - 110 001
2. The District Collector/Nodal Officer
Cable TV
Cuddalore
Cuddalore District
3. The Managing Director
Arasu Cable TV Corporation Limited
34/123, 6th Floor
Durga Towers, Marsal Salai
Chennai - 600 008
4. The Special Tahsildar
Tamil Nadu Arasu Cable TV Corporation Limited
Cuddalore
Cuddalore District

..Respondents

WP No. 31 of 2018

Agvesh Digital Network
represented by its Authorised Partner
S. Jeyakumar



Son of T. Shanmugam
A.V.M. Nagar
Andimadam Post, Andimadam
Ariyalur District - 621 801

..Petitioner

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Versus

1. The Secretary
The Ministry for Information and Broadcasting
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2. The District Collector/Nodal Officer
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34/123, 6th Floor
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Chennai - 600 008
4. The Special Tahsildar
Tamil Nadu Arasu Cable TV Corporation Limited
Ariyalur, Ariyalur District

..Respondents

WP No. 30 of 2018:- Writ Petition filed under Article 226 of The Constitution of India praying to issue a Writ of Mandamus forbearing the third and fourth respondents from interfering in day to day activities of petitioner's partnership firm namely Viruthagiri Digital Network, having control room at New No.94C, Krishna Complex, 2nd Floor, Ayuyar Madam Veedhi, Virdhachalam, Cuddalore District from implementing Digital Addressable System to their local cable TV operators as per the Franchise Agreement dated 21.07.2017 based on the petitioner's representation dated 17.12.2017.

WP No. 31 of 2018:- Writ Petition filed under Article 226 of The Constitution of India praying to issue a Writ of Mandamus forbearing the third and fourth respondents from interfering in day to day activities of petitioner's partnership firm namely Agvesh Digital Network, having office at A.V.M. Nagar, Andimadam Post, Andimadam, Ariyalur District - 621 801 from implementing Digital Addressable System to their local cable TV operators as per the Franchise Agreement dated 21.07.2017 based on the petitioner's representation dated 17.12.2017.

For Petitioner : Mr. R. Thiagarajan
in both the writ petitions



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For Respondents

: Mr. T.V. Krishnamachari for R1
in both the writ petitions

Mr. Abdul Saleem for RR2 to 4
in both the writ petitions

COMMON ORDER

In both these writ petitions, the petitioners prayed for issuing a Writ of Mandamus to forbear the respondents 3 and 4 from interfering with their day to day activities in relation to implementing Digital Addressable System to their local cable TV operators as per the Franchise Agreements executed in their favour on 21.07.2017.

2. The case of the petitioners is that they are the Franchise Agreement holders having been executed by the third respondent in these writ petitions in their favour, pursuant to which, they are conducting Cable TV operating business lawfully. The grievance of the petitioners is that during the subsistence of the agreements in their favour, the respondents 3 and 4, without any valid reason, are interfering with and intrudes in to the lawful business activities carried on by them. However, such a statement made by the petitioners in the affidavits filed in support of the respective writ petitions is stoutly denied by the learned counsel appearing for the respondents 2 to 4. The learned counsel for the respondents 2 to 4, thus, submitted that there is no unwarranted interference on the part of the respondents 3 and 4 in to the business activities carried on by the petitioners in any manner.

3. In the light of the submissions made by the learned counsel for the respondents 2 to 4, no further orders are required to be passed in these writ petitions. Accordingly, both the writ petitions are disposed of. No costs. Consequently, connected miscellaneous petitions are closed.

-s/d-

Assistant Registrar(CS-I)

True Copy

Sub-Assistant Registrar

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To

1. The Secretary
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Tamil Nadu Arasu Cable TV Corporation Limited
Ariyalur, Ariyalur District

WP Nos. 30 & 31/2018

SPD(CO)
SP(19/08/2021)