



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.08.2021

CORAM

THE HONOURABLE MR.JUSTICE R.MAHADEVAN

WRIT PETITION NOS.13158, 14915 AND 28945 OF 2017,
AND

WRIT PETITION NOS.2762, 5578, 6795, 6796 AND 6797 OF 2018

WEB COPY

WP NO. 13158 OF 2017

1. S. SARASWATHY
2. G. PRADEEP KUMAR
3. A. VELMURUGAN

.. PETITIONERS IN WP NO.13158 OF 2017

1. R.KARUNANIDHI
2. N.ANBUTHAMBI
3. P.THANGAM
4. N.BALAKRISHNAN
5. G.CHANDRA SEKAR

.. PETITIONERS IN WP NO.14915 OF 2017

1. B.BHIRUNDA
2. B.MADHANAGOPAL
3. P.ARULRAJ
4. V.P.SOUNDRAPANDIYAN
5. R.MUTHUKUMARN
6. S.PREMALATHA
7. M.BHIRUNDA
8. M.ABDUL MALIK
9. N.GANGADHARAN
- 10.V.VENKATESAN
- 11.J.RAMESH
- 12.M.BHIRUNDA
- 13.M.BHIRUNDA
- 14.K.MUNIYANDI
- 15.N.DHINAKARAN

.. PETITIONERS IN WP NO.28945 OF 2017

1. S.ANANDHA KUMAR

.. PETITIONER IN WP NO.2762 OF 2018

1. B.ELANGO VAN

.. PETITIONER IN WP NO.5578 OF 2018

1. A.ARUNAGIRI
2. B.DEVIBALA W/O.RAMESH
3. R.SRIDHAR
4. N.D.VENKATESAN
5. P.RAVICHANDIRAN



6. V.BALAJI S/O.VENKADESAN

7. M.MURUGAVEL S/O.MUNUSAMY .. PETITIONERS IN WP NO.6795 OF 2018

1.M/S.SIVASHRI DIGITAL NETWORK

REP BY ITS MANAGING PARTNER GUBENDRAN

S/O.SELLA PERUMAL NO.2A/1/105 VIDHYALAYA ROAD

SRIRAGAPALAYAM ROAD EAST SALEM-636007

.. PETITIONER IN WP NO.6796 OF 2018

2.M/S.SIVASHRI DIGITAL NETWORK

REP BY ITS MANAGING PARTNER GUBENDRAN

S/O.SELLA PERUMAL NO.2A/1/105 VIDHYALAYA ROAD

SRIRAGAPALAYAM ROAD EAST SALEM-636007

.. PETITIONER IN WP NO.6797 OF 2018

VERSUS

THE SECRETARY

GOVERNMENT OF INDIA MINISTRY OF INFORMATION

AND BROADCASTING A WING SHASTRI BHAVAN

DR.RAJENDRA PRASAD ROAD NEW DELHI 110 001 ... 1ST RESPONDENT IN

WP.NO.13158 OF 2017,

14915/17,28945/17,2762/18,5578/18,6795/18

M/S.TAMIL NADU ARASU CABLE

TV CORPORATION LIMITED REP. BY MANAGING DIRECTOR,

DUGAR TOWERS 6TH FLOOR O.NO. 34 N.NO. 123

MARSHALLS ROAD EGMORE CHENNAI 600 008 ... 2ND RESPONDENT IN

WP NO.14915/17,28945/17,2762/18,5578/18,6795/18

M/S.TAMIL NADU ARASU CABLE TV CORPORATION LIMITED

REP. BY GENERAL MANAGER,DUGAR TOWERS

6TH FLOOR O.NO. 34 N.NO. 123

MARSHALLS ROAD EGMORE CHENNAI 600 008

... R2 IN WP
NO.13158 OF 2017

THE UNION OF INDIA

REP BY ITS SECRETARY THE MINISTRY

FOR INFORMATION AND BROADCASTING ROOM NO.116

A WING SHASTRI BHAVAN NEW DELHI-110 001

THE CHAIRMAN

TELECOM REGULATORY AUTHORITY OF INDIA

JAWAHARLAL NEHRU MARG (OPP TO RAMLEELA MAIDHAN)

NEW DELHI-110 002

THE DISTRICT COLLECTOR/

NODAL OFFICER SALEM DISTRICT

COLLECTOR OFFICE SALEM

... RESPONDENTS in WP No.6796 of 2018



THE SECRETARY
THE MINISTRY FOR INFORMATION AND
BROADCASTING GOVERNMENT OF INDIA 2 KRISHNA
MENON MARG NEW DELHI-110 001

WEB COPY

THE DISTRICT COLLECTOR
NODAL OFFICER CABLE TV SALEM DISTRICT

THE MANAGING DIRECTOR
ARASU CABLE TV CORPORATION LTD 34/123 6TH
FLOOR DURGA TOWERS MARSHAL SALAI
CHENNAI-08

THE SPECIAL TAHSILDAR
TAMIL NADU ARASU CABLE TV CORPORATION LTD
SALEM DISTRICT

... RESPONDENT in WP No.6797 of 2018

Prayer:-

These Writ Petitions are filed under Article 226 of the Constitution of India praying to issue a writ mandamus to

WP No.13158 of 2017:-

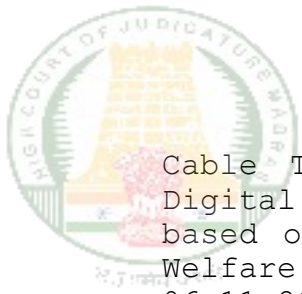
Directing the 1st respondent to forbear the 2nd respondent from allotting new Local Cable TV Operator in existing Local Cable TV Operator area and allow the petitioners to provide Digital Addressable System Signal to their intending customers and also direct the 1st respondent to take action on the 2nd respondent and its erring officials for disturbing of implementation of Digital Addressable System

WP No.14915 of 2017:-

Directing the 1st Respondent to forbear the 2nd Respondent from allotting new Local Cable TV Operator in existing Local Cable TV Operator area and allow the Petitioners to provide Digital Addressable System Signal to their intending customers and also direct the 1st Respondent to take action on the 2nd Respondent and its erring officials for disturbing of implementation of Digital Addressable System.

WP No.28945 of 2017:-

Directing the 1st respondent to forbear the 2nd respondent from allotting new local cable TV operator in existing Local



Cable TV Operator area and allow the petitioners to provide Digital Addressable System Signal to their intending customers based on the representation of the Tamil Nadu Cable TV General Welfare Association dated 23.09.2016 and representation dated 06.11.2017 made by the petitioners to the respondents and also direct the 1st respondent to take action on the 2nd respondent and its erring officials for disturbing of implementation of Digital Addressable System as per the choice of their customers

WP No.2762 of 2018:-

Directing the first respondent to forbear the 2nd respondent from allotting new Local Cable TV Operator in existing Local Cable TV Operator area and allow the petitioner to provide Digital Addressable System Signal to his intending customer based on the representation of the Tamil Nadu Cable TV General Welfare Association dated 23.09.2016 to the respondents and the representation of the petitioner dated 04.01.2018 to the 1st respondent and also direct the 1st respondent to take action of the 2nd respondent and its erring officials for disturbing of implementation of Digital Addressable System as per the choice of his customer

WP No.5578 of 2018:-

Directing the first respondent to forbear the 2nd respondent from allotting new Local Cable TV Operator in existing Local Cable TV Operator area and allow the petitioner to provide Digital Addressable System Signal to his intending customer based on the representation of the Tamil Nadu Cable TV General Welfare Association dated 23.09.2016 to the respondents and the representation of the petitioner dated 04.01.2018 to the 1st respondent and also direct the 1st respondent to take action of the 2nd respondent and its erring officials for disturbing of implementation of Digital Addressable System as per the choice of his customer

WP No.6795 of 2018:-

Directing the first respondent to forbear the 2nd respondent from allotting new Local Cable TV Operator in existing Local Cable TV Operator area and allow the petitioner to provide Digital Addressable System Signal to his intending customer based on the representation of the Tamil Nadu Cable TV General Welfare Association dated 23.09.2016 to the respondents and the representation of the petitioner dated 04.01.2018 to the 1st respondent and also direct the 1st respondent to take action of the 2nd respondent and its erring officials for disturbing of



implementation of Digital Addressable System as per the choice of his customer

WP No.6796 of 2018:-

Directing the 1st respondent to permit the petitioner firm to provide Analogue signal to its customers, to whom set top box is not provided, until the petitioners firm provide set top box to all its customers like similarly placed Multi System operators from its control room at Salem District.

WP No.6797 of 2018:-

Forbearing the 3rd and 4th respondents from interfering in day today activities of petitioners partnership firm and its optic fiber network laid thereon namely Sivasri Digital Network having control room at No.2A/1/105, Vidhyalaya Road, Sriragapalayam Road East, Salem-636007 from implementing Digital Addressable System to their local cable TV operators as per the Francisee agreement dated 09.02.2018 based on the petitioners representation dated 12.03.2018.

Appearance:

Mr.B.Prasanna Vinoth - Petitioner in WP'S and

Mr.S.Diwakar for R1 in WP - 2762/18 & 5578/18

Mr.B.Sudhir Kumar CGSC for R1 in WP.13158/17

Mr.Venkatasamy Babu, SPC for R1 in WP.14915/17

Mr.Abdul Saleem for R2 in
WPS.13158,14915/17,28945/17,2762/18
R3 in WP 6797/18,5578/18,6795/18

Mr.Dr.M.Devendran for R2 in WP.6796/18.

Mr.G.Krishnaraj G.A for R3 in WP.6796/18.
R2 & R4 6797/18

COMMON ORDER

All these writ petitions are filed by the petitioners with an identical prayer to issue a Writ of Mandamus directing the first respondent to forbear the second respondent from allotting



new Local Cable TV Operator in the existing Local Cable TV Operator Area, where the petitioner is already carrying on business of providing Digital Addressable System Signal.

WEB COPY

2. Today, when these writ petitions are taken up for hearing by this Court, Mr. Prasanna Vinoth, learned counsel appearing for the petitioners in these writ petitions, fairly submitted that the relief sought for in these writ petitions no longer survives for consideration by this Court as the Local Cable TV Operations have been replaced by digital signals.

3. Recording the said submission of the learned counsel for the petitioners, no further order is required to be passed in these writ petitions. All these writ petitions are disposed of. No costs. Consequently, all the connected miscellaneous petitions are closed.

Sd/-
Assistant Registrar (CS IV)

//True Copy//

Sub Assistant Registrar

rsh

To

1. THE SECRETARY
GOVERNMENT OF INDIA
MINISTRY OF INFORMATION AND BROADCASTING
"A" WING, SHASTRI BHAVAN
DR. RAJENDRA PRASAD ROAD
NEW DELHI - 110 001

2. THE SECRETARY
UNION OF INDIA
THE MINISTRY FOR INFORMATION AND BROADCASTING
ROOM NO. 116 A WING SHASTRI BHAVAN NEW DELHI-110 001

3. THE CHAIRMAN
TELECOM REGULATORY AUTHORITY OF INDIA
JAWAHARLAL NEHRU MARG (OPP TO RAMLEELA MAIDHAN)
NEW DELHI-110 002

4. THE DISTRICT COLLECTOR/
NODAL OFFICER SALEM DISTRICT
COLLECTOR OFFICE SALEM



WEB COPY

5.THE SECRETARY
THE MINISTRY FOR INFORMATION AND
BROADCASTING GOVERNMENT OF INDIA 2 KRISHNA
MENON MARG NEW DELHI-110 001

6.THE SPECIAL TAHSILDAR
TAMIL NADU ARASU CABLE TV CORPORATION LTD
SALEM DISTRICT

+1cc to Mr.Venkataswamy Babu, Advocate, S.R.No.40265
+1cc to Mr.Sudhir Kumar , Advocate, S.R.No.40122
+2ccs to Mr.S.Diwakar, Advocate, S.R.No.40291,40289
+1cc to the Government Pleader, S.R.No.40769,40768
+8ccs to Mr.Abdul Saleem, Advocate,
(S.R.No.40298,40505,40506,40511,40513,40499,40300,40297)

WP Nos. 13158, 14915
& 28945 of 2017
and
WP Nos. 2762, 5578,
6795, 6796 & 6797 of 2018

SVI (CO)
PM/23/09/2021
PM/30/09/2021