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W.P.No.26982 of 2015

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 10.03.2023

CORAM :

THE HON'BLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.No.26982 of 2015

Tamil Nadu Arasu Cable TV Corporation Ltd.

Rep. by its General Manager

34/123, Dugar Towers, 6th Marshalls Road

Egmore, Chennai – 600 008.

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Petitioner

VS

1. The Ministry of Information & Broadcasting

Represented by its Secretary

Room No.655, 5th Floor, 'A' Wing

Shastri Bhawan

Dr.Rajendra Prasad Road

New Delhi – 110 001.

2. Thamizhaga Cable TV Communication Pvt. Ltd.

Represented by its Authorized representative

9A/5, Club Road, Chetpet, Chennai 600 031.

3. Star India Pvt. Ltd.

Represented by its Authorized Representative

Star House, Urmi Estate

95, Ganpatraokadam Marg

Lower Parel (West), Mumbai – 400 013.

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Respondents



W.P.No.26982 of 2015

Prayer: Petition filed under Article 226 of the Constitution of India praying for a writ of Prohibition, prohibiting the continuance of proceedings in Petition No.481 (c) of 2014 before the Telecom Disputes Settlement and Appellate Tribunal as the issue of the petitioner's operation is subjudice in W.P.34213 of 2013, 29651 of 2012 and batch of cases before the Hon'ble Madras High Court.

For the Petitioner	: Mr.E.Karthikeyan for Mr.Abdul Saleem
For the Respondents	: Mr.R.Subramanian Additional Central Government Standing Counsel for respondent 1
	Mr.G.Adithya Raj for M/s.P.Wilson Associates for respondent 2
	Mr.Suchindran for respondent 3

ORDER

The writ of prohibition has been filed for prohibiting the continuance of proceedings in Petition No.481 (c) of 2014 before the Telecom Disputes Settlement and Appellate Tribunal, as the issue of the petitioner's operation is subjudice in W.P.34213 of 2013, 29651 of 2012 and batch of cases before the Hon'ble Madras High Court.



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2. In respect of the reference made in the prayer by the petitioner that W.P.Nos.34213 of 2013 and 29651 of 2012 were pending at the time of filing of the writ petition. The said writ petitions were disposed of by this Court as infructuous, since the technology underwent changes and also the law governing the cable operations.

3. In view of the changes effected, the present writ petition need not be adjudicated on merits and the learned counsel for the respondents states that the petitioner has to switch over to DASS system, which had also been done. Therefore, there is no impediment for the Telecom Disputes and Appellate Tribunal to adjudicate the issues, which are all raised in the petition. Accordingly, the petitioner is at liberty to pursue the proceedings in Petition No.481 (c) of 2014 before the Telecom Disputes and Appellate Tribunal for disposal.



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4. With these clarifications, the writ petition stands disposed of.

There will be no order as to costs. Consequently, M.P.Nos.1 & 2 of 2015 is closed.

Index : Yes/No

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Neutral Order: Yes/No
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To:

1. The Secretary
The Ministry of Information & Broadcasting
Room No.655, 5th Floor, 'A' Wing
Shastri Bhawan
Dr.Rajendra Prasad Road
New Delhi – 110 001.



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S.M.SUBRAMANIAM,J.

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