



W.P(MD)No.1715 of 2023

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 22.08.2023

CORAM:

**THE HONOURABLE MR.JUSTICE B.PUGALENDHI**

W.P(MD)No.1715 of 2023

P.Rasukutty

... Petitioner

Vs

1.Tamil Nadu Arasu Cable T.V.Corporation Ltd.,  
Represented by its Managing Director,  
Office at Dugar Towers,  
No.34, (123), 6<sup>th</sup> Floor,  
Marshalls Road,  
Egmore,  
Chennai.

2.The Special Tahsildar,  
Tamil Nadu Arasu Cable TV Corporation Ltd.,  
Madurai.

3.R.Maheswari

...Respondents

**PRAYER:** Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the second respondent to grant Local Cable Operator (LCO) License for Periyakoodakovil Area of Madurai District and also to issue Government Cable TV Set up box and all other permission to run the



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Cable TV as Cable Operator by considering the petitioner's representation dated 05.08.2022 and dispose of the same within the time limit that may be stipulated by this Court.

For Petitioner : Mr.M.Pandian  
For R1 & R2 : Ms.Annie Abinaya  
Standing Counsel  
For R3 : Mr.P.Natarajan

### **ORDER**

The petitioner submitted an application before the Postal Department for registering him as a Cable TV Operator and has filed this writ petition for a Mandamus directing the second respondent to grant local Cable TV operator license to the petitioner for Periyakoodakovil area of Madurai District and to provide set up boxes to him by considering his representation dated 05.08.2022.

2.The learned counsel appearing for the petitioner submits that the petitioner though having an office at Periyakoodakovil, he is entitled to operate the cable TV network within the jurisdiction of the Postal Department area, wherein, he has been granted with the license.



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3.The learned standing counsel appearing for the respondents 1 & 2 submits that one R.Maheshwari was already granted with the license as a Local Cable TV operator for Paraipathy Panchayat on 13.06.1985 and she is running the business for the past 11 years with the Arasu Cable TV without any dispute. She further submits that Paraipathy Panchayat includes Periyakoodakovil Village, which consists of 30 families, wherein, the third respondent has already been issued with the license as Local Cable TV Operator of Arasu Cable TV Corporation. Therefore, the petitioner's request seeking license for the same locality cannot be considered. She further submits that the petitioner has submitted a formal license obtained from the Postal Department and failed to submit any application in a prescribed format, to the Arasu Cable TV Office.

4.The learned counsel for the third respondent submits that the third respondent has been granted with a license in the year



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1985 and she is doing the business for the past 11 years without any interruption. In order to make hindrance to her business, the petitioner has sought for license for the same locality, where, the third respondent is doing her business.

5.This Court considered the rival submissions made and also perused the materials placed on record.

6.The petitioner has filed this writ petition on 23.01.2023 based on the application submitted by him before the postal department license. The license itself appears to have been issued by the Department of Postal only on 01.08.2023. Even before obtaining the license, the petitioner has filed this writ petition.

7.In view of the above, this writ petition is dismissed. However, the petitioner is at liberty to submit a fresh application before the second respondent Corporation and the second respondent shall consider the same and decide who shall be the



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service provider for their Cable TV Corporation for the particular locality on merits. No costs.

**22.08.2023**

NCC :Yes/No  
Index :Yes/No  
Internet:Yes  
vrn

To

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**B.PUGALENDHI, J.**

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