



W.P(MD)Nos.2941, 6494, 6495 & 7197 of 2018

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 28.11.2023

CORAM:

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

W.P(MD)Nos.2941, 6494, 6495 & 7197 of 2018 and
WMP(MD) Nos.3106,3107,6311,6312,6313,6314,6921,6922

W.P(MD)No.2941 of 2018:-

S.Vijaykumar

... Petitioner

Vs

- 1.The Chairman,
Tamil Nadu Arasu Cable Tv Corporation Ltd.,
Dugar Towers,
6th Floor,
No.123, Marshal Road,
Egmore, Chennai - 600 008.
- 2.The Managing Director,
Tamil Nadu Arasu Cable Tv Corporation Ltd.,
Dugar Towers, 6th Floor,
No.123, Marshal Road,
Egmore, Chennai - 600 008.
- 3.The Deputy Manager,
Tamil Nadu Arasu Cable Tv Vandikara Street,
Taluk, Office, Ramanathapuram,
Ramanathapuram District.



W.P(MD)Nos.2941, 6494, 6495 & 7197 of 2018

4.Selvam

...Respondents

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W.P(MD)No.6494 of 2018:-

N.Ilangovan

... Petitioner

Vs

- 1.The District Collector,
Collector Office,
Salai Bazar,
NH-49. Cochi Thanushkodi Road,
Ramnad District – 623 501.
- 2.The Superintendent of Police,
District Police Office,
Ramnad District – 623 504.
- 3.The Inspector of Police,
Kamuthi Police Station,
Kamuthi Taluk,
Ramnad District – 623 603
- 4.The Managing Director,
Tamil Nadu Arasu Cable Tv Corporation Ltd.,
Dugar Towers,
6th Floor,
No.123, Marshal Road,
Egmore, Chennai - 600 008.
- 5.The Deputy Manager/The Special Tahsildar,
Tamil Nadu Arasu Cable Tv Corporation Ltd.,
Vandikara Street,
Ramnad District – 623 501.

6.Mrs.Ummukulthum

Respondents



W.P(MD)Nos.2941, 6494, 6495 & 7197 of 2018

W.P(MD)No.6495 of 2018:-

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Kamuthi Taluk,
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- 4.The Managing Director,
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Dugar Towers,
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- 5.The Deputy Manager/The Special Tahsildar,
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6.Mr.Selvam

Respondents



W.P(MD)Nos.2941, 6494, 6495 & 7197 of 2018

W.P(MD)No.7197 of 2018:-

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P.Soban Babu

... Petitioner

Vs

- 1.The District Collector,
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- 5.The Deputy Manager/The Special Tahsildar,
Tamil Nadu Arasu Cable Tv Corporation Ltd.,
Vandikara Street,
Ramnad District – 623 501.

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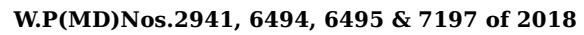


W.P(MD)Nos.2941, 6494, 6495 & 7197 of 2018

PRAYER in WP(MD) No.2941 of 2018: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus, by calling for the records pertaining to the impugned order dated 08.12.2017 in Proceedings in B14/9675/2017 passed by the second respondent appointing the 4th Respondent as Digital Signal Distributor of Kamuthi Taluk thereby quashing the same and ordering the Respondents 1 to 3 for Public auction to the said appointment by calling application from the deserved Local Cable TV operators according to the prescribed norms.

PRAYER in WP(MD) No.6494 of 2018: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus, by calling for the records pertaining to the impugned order dated 23.10.2017 in Proceedings in B14/8277/2017 passed by the 4th respondent appointing the 6th Respondent as Digital Signal Distributor of Paramakudi Taluk thereby quashing the same and ordering the Respondents 4 & 5 for Public auction to the said appointment by calling application from the deserved Local Cable TV operators according to the prescribed norms.

PRAYER in WP(MD) No.6495 of 2018: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a



PRAYER in WP(MD) No.7197 of 2018: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus, by calling for the records pertaining to the impugned order dated 08.12.2017 in Proceedings in B14/9675/2017 passed by the 4th respondent appointing the 6th Respondent as Digital Signal Distributor of Kamuthi Taluk thereby quashing the same and ordering the Respondents 4 & 5 for Public auction to the said appointment by calling application from the deserved Local Cable TV operators according to the prescribed norms.

For Petitioner : Mr.P.M.Vishnuvarathan
For R1 & R5 : Mr. J.K.Jeyaseelan
Government Advocate



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W.P(MD)Nos.2941, 6494, 6495 & 7197 of 2018

For R2 & R3 : Mr.B.Thanga Aravindh
Government Advocate
For R4 & R5 : Ms.Annie Abinaya
For R6 : Mr.r.Suriya Narayanan
(In WP(MD) No.6494 of 2018)

For Petitioner : Mr.P.M.Vishnuvarathan
For R1 & R5 : Mr. J.K.Jeyaseelan
Government Advocate
For R2 & R3 : Mr.B.Thanga Aravindh
Government Advocate
For R4 : Ms.Annie Abinaya
(in WP(MD) No.6495 of 2018)

For Petitioner : Mr.P.M.Vishnuvarathan
For R1 & R5 : Mr. J.K.Jeyaseelan
Government Advocate
For R2 & R3 : Mr.B.Thanga Aravindh
Government Advocate
For R4 : Ms.Annie Abinaya
For R6 : Mr.R.Suriya Narayanan
(in WP(MD) No.7197 of 2018)

COMMON ORDER

The appointment of private respondents as Digital Signal Distributors by the Tamil Nadu Arasu Cable TV Corporation Ltd is challenged in these writ petitions.



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2.The learned counsel appearing for the petitioners submit that without conducting any public action and without following a transparent method, the respondents have identified some people and have recognized them as digital signal distributors. According to the learned counsel, *suo motu* appointment of District Cable TV operators(DCOs) and Taluk Cable Operators (TCOs) by the Tamil Nadu Arasu Cable TV Corporation Ltd has been strictly prohibited by the order of this Court in WP(MD).No.20216 of 2015 and WP(MD)No.15347 of 2016. However, the respondent TACTV has appointed certain persons as digital signal distributors in violation of the orders passed by this Court.

3.The learned Standing Counsel appearing for Tamil Nadu Arasu Cable TV Corporation Ltd submits that the petitioners were local cable TV operators under the Tamil Nadu Arasu Cable TV Corporation Ltd for some time and they have switched over to a private Multi System Operator (MSO). When they are LCOs with



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the Tamil Nadu Arasu Cable TV Corporation Ltd, a sum of Rs.1,84,281/-, Rs.22,561/-, Rs.24,761/- and Rs.16,500/- has to be paid by the writ petitioners respectively. The learned standing counsel has produced the guidelines framed by the Tamil Nadu Arasu Cable TV Corporation Ltd for appointment of Digital Signal Distributors and the Digital Signal Distributors have been appointed in a fair and proper manner.

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

5.The petitioners' claim is that without following a prescribed procedure in a transparent method, the respondents have identified some people and have recognized them as digital signal distributors. On the other hand, the learned standing counsel objected the same and submits that they have framed guidelines for appointment of digital signal distributors and as such digital signal distributors have been appointed by the Tamil Nadu Arasu Cable TV



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Corporation Ltd. It is the main contention of the learned standing counsel that the petitioners have to pay dues as mentioned above to the Tamil Nadu Arasu Cable TV Corporation Ltd. The petitioners are no longer with the Tamil Nadu Arasu Cable TV Corporation Ltd and they have switched over to a private Multi System Operator.

6.In view of the above, these writ petitions are dismissed. However, a liberty is granted to the Tamil Nadu Arasu Cable TV Corporation Ltd to collect the due amount from the respective writ petitioners. No costs. Consequently, connected Miscellaneous petitions are closed.

28.11.2023

NCC :Yes/No
Index :Yes/No
Internet:Yes
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B.PUGALENDHI, J.

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Order made in
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