



W.P.(MD)No.14621 of 2013

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 06.11.2024

CORAM

**THE HONOURABLE MR.JUSTICE M.S.RAMESH
AND
THE HONOURABLE DR.JUSTICE A.D.MARIA CLETE**

W.P.(MD)No.14621 of 2013
and
M.P.(MD)No.1 of 2013

Saisiva @ Sivasubramanian

... Petitioner

Vs.

1.The Chariman,
Tamil Nadu Arasu Cable TV Corporation,
11/12, Mangadu Swamy Street,
Nungampakkam, Chennai – 600 034.

2.The Managing Director,
Tamilnadu Arasu Cable TV Corporation,
11/12, Mangadu Swamy Street,
Nungampakkam, Chennai – 600 034.

3.The Deputy Manager/Special Thasildhar,
Tamil Nadu Arasu Cable TV Corporation,
15A, Forest Road, Sivaji Nagar,
Theni, Theni District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India
to issue a Writ of Mandamus, directing the respondents to provide signal for



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retransmitting the signals or authorization to conduct sub MSO at Chinnamanoor, Theni district in MSO No. 10767.

For Petitioner : Mr.G.Prabhu Rajadurai

For Respondents : Mr.S.R.A.Ramachandran,
Addl. Government Pleader for R1 & R3.
Ms.J.R.Annie Abinaya,
Standing Counsel for R2.

ORDER

(Order of the Court was made by M.S.RAMESH,J.)

The grievance of the petitioner, when he filed the writ petition in the year 2013, was that the respondents have not provided signals for transmitting to conduct sub MSO at Chinnamannor, Theni District. However, thereafter since there were various changes brought into the mode in which the signals were provided for transmission, the learned counsel for the petitioner submits that he is not pressing the prayer sought for in the present writ petition.

2.However, he submitted that initially when he approached the respondents seeking for providing signals with an application, he had



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deposited a sum of Rs.1,50,000/- and since the application has not been processed till date, the respondents may be directed to refund the deposit.

3.To such a submission, the learned standing counsel for the second respondent would submit that she does not have any instruction with regard to the claim made by the petitioner on the deposit.

4.We are of the view that if at all any deposit has been made and the petitioner is entitled to seek for refund, he may be granted liberty to approach the respondents with a representation seeking for such refund, which the respondents may consider it on its own merits. Thus, the prayer sought for in the writ petition does not require any consideration.

5.However, the petitioner is granted liberty to make a representation before the second respondent, seeking for refund of the advance amount and on receipt of such a representation, the second respondent herein shall consider it on its own merits and pass appropriate order in accordance with law, within a period of four weeks from the date of receipt of the representation.



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6.The writ petition is disposed of accordingly. No costs.

(M.S.R.,J.) (A.D.M.C.,J.)
06.11.2024

NCC : Yes / No
Index : Yes / No
Internet : Yes / No
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To:

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- 2.The Managing Director,
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