



W.P(MD)No.4225 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 20.12.2024

CORAM

THE HONOURABLE MR.JUSTICE G.K.ILANTHIRAIYAN

W.P(MD)No.4225 of 2024

and

W.M.P(MD)No.4075 of 2024

P.Rasukutty

... Petitioner

Vs

1.Tamil Nadu Arasu Cable T.V Corporation Limited,
Represented by its Managing Director,
Office at Dugar Towers,
No.34 (123), 6th Floor,
Marshalla Road,
Egmore, Chennai.

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

3.R.Maheswari

... Respondents

PRAYER: Writ Petition filed under Article 226 of Constitution of India, to issue a Writ of Certiorarified Mandamus, to call for the records on the file of the second respondent in his proceedings in Na.Ka.En.No.34/2024/A.KTv dated 06.02.2024 and quash the same and consequently directing the second respondent to grant Local Cable Operator (LCO) license to the petitioner at Periyakoodakovil area of Madurai District and also to issue Government Cable TV Setup box and all other permission to run the Cable TV as Cable Operator.



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For Petitioner : Mr.M.Pandian
For RR 1 & 2 : Mrs.S.Devasena
For R – 3 : Mr.P.Natarajan

ORDER

This Writ Petition has been filed by the petitioner challenging the order passed by the second respondent dated 06.02.2024 thereby rejecting the request made by the petitioner seeking licence for the area of Periyakooda Kovil, Madurai District.

2.Heard the learned counsel appearing on either side and perused the materials placed before this Court.

3.The petitioner is doing business of cable TV operator. The third respondent is also a cable TV operator for the area of Paraipatti Village for several years. There was a dispute between the petitioner and the third respondent in respect of operating the cable TV connections. The petitioner also obtained license for doing cable TV business. The petitioner also alleged that the third respondent disturbed the cable TV operations of the petitioner and filed a Writ Petition before this Court in WP(MD)No.1715 of 2022. This Court by



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order dated 22.08.2023 granted liberty to the petitioner to submit a fresh application before the second respondent for service provided for the cable TV corporation. On the application made, the second respondent, after conducting the detailed enquiry, rejected the request made by the petitioner seeking a local cable TV operator agency.

4. On perusal of the counter affidavit filed by the second respondent and on the submissions made by learned counsel appearing for the respondents 1 and 2 would reveal that during the course of enquiry and application submitted by the petitioner, the petitioner insisted to grant him local cable TV operator at Periyakoodakovil area, where the third respondent is already running the cable TV operations by valid license. Further, Periyakoodakovil Village of Paraipatti Panchayat in Madurai District is a small village and having only 30 houses. Already the third respondent is running the cable TV business after obtaining valid license for the past 11 years without any hindrance. Now the petitioner is also seeking license to operate cable TV for the same area. Therefore, it is clear that the petitioner is nothing but a competitor of the third respondent and making allegations as



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against the third respondent and submitted an application for a grant of local cable TV operator for Periyakoodakovil area. That apart, the petitioner has no adequate subscribers to consider his request. Already, the third respondent has all the subscribers in the entire area. Therefore the request made by the petitioner was rightly rejected by the second respondent dated 06.02.2024. In view of the above, this Court finds no infirmity or illegality in the order passed by the second respondent dated 06.02.2024. Hence, this Writ Petition is devoid of merits and the same is liable to be dismissed.

5. Accordingly, this Writ Petition is dismissed. There shall be no order as to costs. Consequently, connected Miscellaneous Petition is closed.

20.12.2024

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

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G.K.ILANTHIRAIYAN, J.

ps

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W.P(MD)No.4225 of 2024

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