



W.P(MD)No.6165 of 2018

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 21.02.2024

CORAM:

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

W.P(MD)No.6165 of 2018
WMP(MD) Nos.6010 & 6011 of 2018

Ganeshamoorthy

... Petitioner

Vs

1.Tamilnadu Arasu Cable TV Corporation,
Rep.By its Managing Director,
Dugar Towers,
34(123), 6th Floor,
Marshalls Road,
Egmore,
Chennai-600 008.

2.The District Collector,
Madurai District,
Madurai.

3.The Special Thasildar,
Tamilnadu Arasu Cable Tv Corporation Ltd.,
Kennet Road,
Ellis Nagar,
Madurai.

4.K.Balu

...Respondents



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PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus, calling for the records of the 1st respondent dated 14/11/2016 in proceedings DMS-2/4021/2016 quash the same, as the same is arbitrary, ultravires, in colourable exercise of power and consequentially direct the respondents 1 to 3 to conduct proper enquiry in regard to the subscribers at Sengundram Nagar, Thiruparankundran Municipality, Madurai District.

For Petitioner	: Mr.R.G.Shankar Ganesh
For R1 & R3	: Mrs.S.Devasena Standing Counsel
For R2	: Mrs.D.Farjana Ghoushia Special Government Pleader

ORDER

The petitioner is a cable TV Operator. He claims that he got the licence from the postal department in the year 2002 and the same was periodically renewed. He was registered as a Cable TV operator in Thirupparankundram Municipality. The petitioner is also functioning as a Local Cable TV Operator with the Tamil Nadu Arasu Cable TV and he is having more than 1000 subscribers. The grievance of the petitioner is that the third respondent by the order impugned in this writ petition has appointed the fourth respondent as



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a Local Cable TV Operator in Sengundram area, which according to the petitioner is form part of Thiruparankundram area. Since the petitioner was recognized as LCO in Thiruparankundram, the third respondent is not supposed to give licence to the fourth respondent to function as LCO in Sengundram. With this grievance, the petitioner has filed this writ petition in the year 2018.

2.The learned counsel appearing for the respondent Corporation submits that Thiruparankundram is a vast area and therefore it was decided to appoint one more LCO in that area, thereby, the third respondent has appointed the fourth respondent as LCO. Though the fourth respondent was appointed as LCO, he was not permitted to function as LCO by the petitioner. The Wires have been disconnected/destroyed by the petitioner and even now the petitioner is functioning as LCO in Thiruparankundram.

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



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4. From the year 2018, the entire cable TV has been digitalized and there was several MSOs. The petitioner is a Local Cable TV Operator in Thirupparankundram area. Depending upon the increasing demand, the third respondent has appointed the fourth respondent as LCO in Sengundram area. The petitioner is not having any *locus standi* to question the third respondent for having appointed the fourth respondent as LCO in Sengundram area. In view of the above, this writ petition is dismissed. No costs. Consequently, connected Miscellaneous petitions are closed.

21.02.2024

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

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