



W.P(MD)No.16440 of 2017

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **22.01.2024**

CORAM:

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

W.P.(MD)No.16440 of 2017

and

W.M.P.(MD)No.13100 of 2017

K.Kannan

... Petitioner

/Vs./

1.The Managing Director,
Tamilnadu Arasu Cable TV Corporation Ltd.,
11/12, Mangadusamy Salai,
Nungapakkam, Chennai - 34

2.The General Manager,
Tamilnadu Arasu Cable TV
Corporation Ltd.,
11/12, Mangadusamy Salai,
Nungapakkam, Chennai - 34

3.The Special Tahsildar,
Tamil Nadu Arasu Cable
TV Corporation Ltd.,
District Collectorate,
Thoothukudi, Thoothukudi District

4.The Taluk Cable Operator,
Arasu Cable TV Corporation Ltd.,
Tiruchendur, Thoothukudi District

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Certiorari, calling for the records relating to the impugned order in Naa.Ka.Aa.Ca.TV/511/2014 dated 04.08.2017 issued by the 3rd respondent to the petitioner and quash the same as arbitrary and illegal.



W.P(MD)No.16440 of 2017

For Petitioner : No Appearance

For Respondents : Ms.J.R.Annie Abinaya
Standing Counsel

ORDER

As against the demand notice dated 04.08.2017 issued by the Special Thasildar, the present writ petition was filed.

2.The grievance of the petitioner is that the petitioner was running cable TV operating business in Sathankulam, Thoothukudi District and telecasting free air channels initially. He was paying the subscription amount to the first respondent without fail. Thereafter, the petitioner got signal service from the fourth respondent from the month of January, 2012, from which the petitioner has to pay the subscription fee. However, the first respondent demanded a sum of Rs.3,96,266/- as arrears of subscription. Hence, the petitioner has filed the present writ petition.

4.The learned counsel for the respondent corporation submits that the Corporation had issued signals to the petitioner in the year 2011 after the establishment of TACTV control rooms. However, the petitioner claiming that the signals were provided to him only in the month of February, 2012, had not



W.P(MD)No.16440 of 2017

paid the subscription fee. Hence, a show cause notice was issued to the petitioner. Challenging the said show cause notice, the petitioner filed writ petition in W.P.(MD)No.13622 of 2014, which came to be disposed of directing the Special Thasildar to consider the request of the petitioner based on the documents. Since the petitioner had not given any proof to establish that he was provided with signal for free-to-air channels initially, demand notice was issued on 04.08.2017. Challenging the same, the present writ petition is filed.

5.The learned counsel for the respondent corporation submits that the petitioner evaded payment of subscription fee by filing petition after petition. Hence, he opposed this petition.

6.When the matter is taken up for hearing today, there is no representation on behalf of the petitioner either in person or through learned counsel.

7.In view of the above, this writ petition is dismissed for non prosecution.
No costs.

22.01.2024

Index : Yes / No
Internet : Yes / No
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W.P(MD)No.16440 of 2017

B.PUGALENDHI,J.

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W.P(MD)No.16440 of 2017

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