



W.P.(MD)No.9346 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 04.04.2025

CORAM:

THE HONOURABLE MR.JUSTICE VIVEK KUMAR SINGH

W.P.(MD)No.9346 of 2025

and

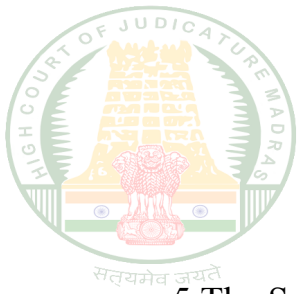
W.M.P.(MD)No.6979 of 2025

M.Radhakrishnan

... Petitioner

-VS-

- 1.The Secretary,
The Ministry of Information and Broadcasting,
Government of India,
2, Krishna Menon Marg,
New Delhi - 110 001.
- 2.The Section Officer,
Digital Addressable System (DAS),
Ministry for Information and Broadcasting,
Government of India,
2, Krishna Menon Marg,
New Delhi - 110 001.
- 3.The District Collector / Nodal Officer (Cable TV),
Thoothukudi,
Thoothukudi District.
- 4.The Managing Director,
Tamil Nadu Arasu Cable TV Corporation,
No.807, 4th Floor,
PT.Lee Chengalvarayan Naicker Building,
Anna Salai (Mount Road), Chennai - 600 002.



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5.The Special Tahsildar (Cable TV),
Tamil Nadu Arasu Cable TV Corporation,
Thoothukudi Collectorate Campus,
Thoothukudi District.

6.U.Selvakumar

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents 1 and 2 to cancel the online registration provided to the sixth respondent and consequently, to take action against the fourth respondent for providing digital signal, based on the representation of the petitioner dated 19.03.2025.

For Petitioner	:	Mr.B.Prasanna Vinoth
For R1 and R2	:	Mr.B.Rajesh Saravanan Standing Counsel
For R3 to R5	:	Mr.C.Venkatesh Kumar Special Government Pleader

ORDER

This Writ Petition has been filed seeking a direction to the respondents 1 and 2 to cancel the online registration provided to the sixth respondent and consequently, to take action against the fourth respondent for providing digital signal, based on the representation of the petitioner dated 19.03.2025.



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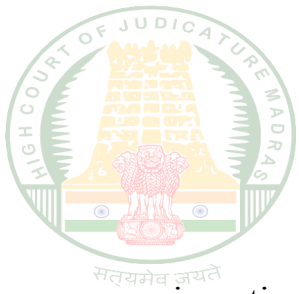
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2. By consent, this Writ Petition is disposed of, at the admission stage itself.

3. Since no adverse orders are going to be passed against the sixth respondent, notice to the sixth respondent is hereby dispensed with.

4. According to the petitioner, he is a Cable TV Operator, who has obtained a postal license under the Cable Television Networks (Regulation) Act, 1995 (hereinafter referred to as 'the Act') and has been engaged in the Cable TV business since 2013. While so, one Karuppasamy, son of Mariappan, who was set up by the sixth respondent herein, installed a dish antenna and started providing analogue signals at a marginal price illegally, in violation of Section 4A of the Act and the circulars issued by the first respondent.

5. Further, the first respondent introduced online registration from 17.01.2025. Taking advantage of the online registration and suppressing material facts, the sixth respondent applied for Cable TV online registration to the third respondent. Highlighting the above facts, the petitioner made a representation dated 19.03.2025 to the respondents 1 to 5 herein. However, the third respondent



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is acting in favour of the fourth respondent and is canvassing for the fourth respondent. Hence, the present writ petition.

6. Heard both sides.

7. It is needless to point out that whenever a representation of this nature is made to a Statutory Authority, there is a duty cast upon him to consider the same on its own merits and pass appropriate orders in one way or other, instead of keeping the same pending indefinitely. As such, non-consideration of the representation by the Statutory Authority would amount to dereliction of duty and hence, this Court will be justified in invoking its extraordinary powers under Article 226 of the Constitution of the India and direct them to consider the same within a stipulated time.

8. In the light of the above observations, there shall be a direction to the respondents 1 and 2 herein to consider the petitioner's representation dated 19.03.2025, on its own merits and pass appropriate orders in accordance with law, after giving due opportunity to the petitioner, the sixth respondent, as well as all



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other persons, who may be interested in the subject matter, within a period of three months from the date of receipt of a copy of this order. It is also made clear that this Court has not expressed any of its views with regard to the merits of the matter and that it is open to the concerned respondents to consider the same on its own merits.

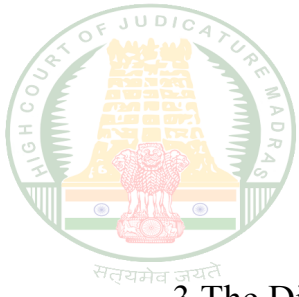
9. With the above directions, the Writ Petition stands disposed of. There shall be no order as to costs. Consequently, connected Miscellaneous Petition is closed.

NCC : Yes / No
Index : Yes / No
smn2

04.04.2025

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Ministry for Information and Broadcasting,
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3.The District Collector / Nodal Officer (Cable TV),
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