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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 23-11-2026

CORAM

THE HON'BLE MR.JUSTICE P.B. BALAJI

A Nos. 3257 and 2891 of 2026
AND
C.S(COMM DIV) Nos. 53 and 54 OF 2026,

Telecom Regulatory Authority of India TRAI
Having head office at Mahanagar Doorsanchar
Bhawan, Jawaharlal Nehru Marg, Old Minto Road,
New Delhi

..Applicant(s)

Vs

1. Mr S Kaundeya
   No 32 2nd Floor 32nd Cross Besant Nagar
   Chennai
   600 041.
2. Thamizhaga Cable TV Communication Limited
   TCCL
   9A,5, Club Road, M.S.Nagar, Muktha Gardens,
   Chetpet, Chennai

3. Tamil Nadu Arasu Cable TV Corporation
   Limited TACTV
   No.807, 4th Floor, PT Lee Chengalvarayan
   Naicker Building, Anna Salai, Chennai

4. Kal Cables SCV
   229, Kutchery Road, Mylapore, Chennai

5. GTPL Hathway Limited
   No.56/05, 3rd Floor, C.P.Ramaswamy Raod,
   Alwarpet, Chennai

6. Akshaya Cable Network
   No.B20, Mogappair East, Chennai

7. Jak Communication Private Limited
   No.J4, 6th Avenue, Anna Nagar East, Chennai

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8. VK Digital
   Old No.284, New No.204, Avvai Shanmugam Salai, Royapettah, Chennai

9. Guild Digital
   No.7, Loyola Technical Institute Building, 1st Floor, AA Road, Gnanaolivupuram

10. Aristo Telemedia Private Limited
    103, Bazullah Road, T.Nagar, Chennai

11. AJK Network
    No.28, Savaripadayatchi, Sathya Nagar, Nellithope, Puducherry

12. Mcc
    1, Jeeva Street, Pasumpon Nagar, Palanganatham, Madurai

13. CAN Network
    1/37, bazaar Street, Valaja T.K.Ammoor, Ranipet

14. Usilai Digital
    No.2/151, N-4, Nalluveeranpalli Road, Seemanathu Post, Usilampatti

15. City Television Network CTN
    236/237, Citymail Building, Mount Road, Kumaran Nagar, Coonor

16. Sai Network
    Manavala Adhigari Complex, 1st Floor, Salem Main Road, Emapper, Kallakurichi

17. John Does Ashok Kumars
    John Doe/s Ashok Kumar/s

..Respondent(s)

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A.No.2891 of 2026

Telecom Regulatory Authority of India TRAI
Having head office atMahanagar Doorsanchar Bhawan,Jawaharlal Nehru Marg,Old Minto Road, New Delhi

..Applicant(s)

Vs

1. Mr S Kaundeya
   Having head office atMahanagar Doorsanchar Bhawan,Jawaharlal Nehru Marg,Old Minto Road, New Delhi
2. Thamizhaga Cable TV Communication Limited TCCL
   9A,5, Club Road, M.S.Nagar, Muktha Gardens, Chetpet, Chennai

3. Tamil Nadu Arasu Cable TV Corporation Limited TACTV
   No.807, 4th Floor, PT Lee Chengalvarayan Naicker Building, Anna Salai, Chennai

4. Kal Cables SCV
   229, Kutchery Road, Mylapore, Chennai

5. GTPL Hathway Limited
   No.56/05, 3rd Floor, C.P.Ramaswamy Raod, Alwarpet, Chennai

6. Akshaya Cable Network
   No.B20, Mogappair East, Chennai

7. Jak Communication Private Limited
   No.J4, 6th Avenue, Anna Nagar East, Chennai

8. VK Digital
   Old No.284, New No.204, Avvai Shanmugam Salai, Royapettah, Chennai

9. Guild Digital
   No.7, Loyola Technical Institute Building, 1st

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Floor, AA Road, Gnanaolivupuram, Madurai

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No.28, Savaripadayatchi, Sathya Nagar,
Nellithope, Puducherry

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1, Jeeva Street, Pasumpon Nagar,
Palanganatham, Madurai

13. CAN Network
1/37, bazaar Street, Valaja T.K.Ammoor,
Ranipet

14. Usilai Digital
No.2/151, N-4, Nalluveeranpalli Road,
Seemanathu Post, Usilampatti

15. City Television Network CTN
236/237, Citymail Building, Mount Road,
Kumaran Nagar, Coonor

16. John Does Ashok Kumars
John Doe/s Ashok Kumar/s

..Respondent(s)

A No. 3257 of 2026

Delete the Telecom Regulatory Authority of India TRAI, arrayed as Defendant NO.16, from the array of parties in C.S.Comm.Div. 54 of 2026 as its presence is unnecessary, irrelevant to the cause of action and beyond the statutory jurisdiction of TRAI

A No. 2891 of 2026

elete the Telecom Authority of India TRAI arrayed as Defendant NO.15 from the array in C.S.COMM DIV. NO.53 of 2026, as its presence is unnecessary, irrelevant to the cause of action, and beyond the statutory jurisdiction of TRAI

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For Applicant(s): M/s.K. Srinivasa Murthy
Senior Panel Counsel For
Central Government

For Respondent(s): Mr.Vijayan Subramanian

COMMON ORDER

A,Nos.3257 of 2026 and 2891 of 2026

Heard Mr.K.Srinivasa Murthy, learned counsel for the applicant in Application Nos.3257 and 2891 of 2026.

2. The said applications have been taken out by the Telecom Regulatory Authority of India viz., TRAI for removing TRAI from the array of the parties in both the suits.

3. Mr.Vijayan Subramanian, learned counsel for the respondent/plaintiff advanced his submissions at the last hearing date and also brought to my notice the Cable Television Networks Rules 1994 dated 29.09.1994. Learned counsel has placed specific reliance on Rule 11 Chapter – III and stated that the applicant in both these applications is very much competent to revoke the licence, in the event of there being any non-compliance of terms and conditions of the licence.

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4. Mr.K.Srinivasa Murthy, learned counsel however sought short accommodation to get necessary clarifications with regard to these Rules and today, he made his submissions.

5. As rightly pointed out by Mr.K.Srinivasa Murthy, even Under Section 11 of The Telecom Regulatory Authority of India Act, 1997, the power of TRAI is only recommendatory in nature and further, proviso to Section 11 clearly makes any such recommendations of TRAI to be not binding upon the Central Government.

6. In such view of the matter, I do not see how the decree can be sought for against the applicant TRAI seeking direction for cancellation of licences which is complained of in the suit.

7. In the light of the above, I see force in the submissions made by Mr.K.Srinivasa Murthy, learned counsel for TRAI and therefore, both the applications Application Nos.3257 and 2891 of 2026 stand allowed.

23-11-2026
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P.B.BALAJI J.

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A Nos. 3257 and 2891 of 2026
in C.S.(Comm.Div) Nos.53 and 54 of 2026
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