



WEB COPY



WA No. 3727 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 25-03-2026

CORAM

THE HON'BLE MR.SUSHRUT ARVIND DHARMADHIKARI, CHIEF JUSTICE

AND

THE HON'BLE MR.JUSTICE G.ARUL MURUGAN

WA No. 3727 of 2025

AND

CMP NO. 30883 OF 2025

A.Babu,
S/o. Angamuthu, Door No.64/37,
Vanniyampathy Street,
Raja Annamalaipuram,
Chennai-600 028

..Appellant

Vs

1. C.Vasudevan
S/o. Chithiraivel Nadar, No.11/39, Kamarajar
Salai, Raja Annamalaipuram,
Chennai-600 028.
2. The Superintendent Engineer
TANGEDCO, Central Chennai, M.G.R.Salai,
Valluvarkottam SS Campus,
Nungambakkam, Chennai-600 034
3. The Executive Engineer
TANGEDCO, T.Nagar, M.G.R.Salai,
Valluvarkottam SS campus,
Nungambakkam, Chennai
4. The Assistant Engineer
TANGEDCO, R.A.Puram, M.R.C.Nagar,
SS Complex,MRC Nagar, Santhome,
Chennai
5. The Inspector of Police(Law and Order)
Abiramapuram Police Station,
Abiramapuram, Chennai



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6. V Deepak Jesudoss
S/o. Victor Jesudoss, No.11, GST Road,
Chengalpattu

..Respondents

Prayer : Writ appeal under Clause XV of the Letters Patent to set aside the order passed in WP No.27763 of 2024 dated 26.09.2024 and consequently allow the above Writ Appeal.

For Appellant:	Mr. B.Vijay For Mr. Hemanth Ragu
For Respondent(s):	Mr. K.Elango For R1. Mr. L.Jai Venkatesh Standing Counsel For R2 To R4. Mr. K.M.D.Muhilan Additional Public Prosecutor For R5. R6 - No Appearance.

JUDGMENT

(Judgment of the Court was delivered by The Chief Justice)

The present writ appeal under Clause XV of the Letters Patent is filed assailing the order dated 26.09.2024 passed in W.P.No.27763 of 2024, whereby the writ petition filed by the first respondent was disposed of with the following directions.

" 8.Considering the submissions made on either side and the views expressed on either side, this Court passes the following order:

(i)This Court directs the Electricity Board/ respondents 1 to 3 to restore the electricity service connection for



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Consumer No.209-39-86 situated at Plot.No.1C, Door No.11/39, Kamarajar Salai, Raja Annamalaipuram, Chennai, forthwith and shift the same to Plot.No.1, Door No.11/39, Kamarajar Salai, Raja Annamalaipuram, Chennai, within a period of one week from the date of receipt of a copy of this order.

(ii)Liberty is granted to the sixth respondent to make fresh application for electricity service connection in his name, within a period of one week from the date of receipt of a copy of this order. If any such application is made by the sixth respondent, the Electricity Board/ respondents 1 to 3 shall consider the same and effect electricity service connection, if there is no other legal impediment.

(iii)The fourth respondent or his men or his agent are directed not to interfere with the petitioner as well as the sixth respondent's property. Liberty is granted to the fourth respondent to work out his remedy as against the petitioner in the manner known to law and without interfering with the possession of the property owned by the petitioner as well as the sixth respondent.

(iv)The fifth respondent is directed to de-seal the subject property forthwith and register criminal case as against the person/s who acted as a hindrance to the respondents 1 to 3 in executing the order of this Court dated 19.09.2024 made in W.M.P.No.30271 of 2024 in W.P.No.27763 of 2024.

2. The first respondent herein had filed the writ petition seeking the following relief:



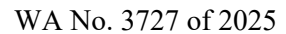
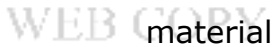
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"Writ of Mandamus directing the respondents 1 to 3 to repair the EB Box and restore the power supply to the petitioner for the Consumer No.209-39-86 situated at Plot.No.1C, Door No.11/39, Kamarajar Salai, Raja Annamalaipuram, Chennai-600 028."

3. Learned counsel for the appellant / fourth respondent in the writ petition submitted that the learned Single Judge exceeded the scope of the writ petition by issuing the directions in Para 8 (ii) to (iv) of the impugned order, inasmuch as, there was no grievance against the appellant. The only prayer made by the first respondent herein / petitioner in the writ petition was to issue a writ of Mandamus directing the Electricity Board to repair the EB box and restore the power supply of the petitioner's premises. The said relief has already been granted by the learned Single Judge in Para 8(i) restoring the electricity connection of the first respondent within a week. The other directions contained in Para 8(ii) to 8(iv) are beyond the scope of the writ petition.

4. Learned counsel for the first respondent fairly concedes that the directions issued in Para 8(ii) to (iv) are beyond the scope of the writ petition and the relief, as prayed by the first respondent, has already been granted in Para 8(i) of the order.



6. It is well settled proposition of law that a relief which has not been sought, cannot be granted. The Supreme Court in *Akella Lalitha vs. Konda Hanumantha Rao and Ors.*¹, held thus:

16. In the case of *Messrs. Trojan & Co. Ltd. v. Rm. N.N. Nagappa Chettiar*, AIR 1953 SC 235, this Court considered the issue as to whether relief not asked for by a party could be granted and that too without having proper pleadings. The Court held as under:

¹MANU/SC/0929/2022



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so as to incorporate in it an alternative case.'

17. In the case of *Bharat Amratlal Kothari and Anr. v. Dosukhan Samadkhan Sindhi and Ors.*, AIR 2010 SC 475 held:

'Though the Court has very wide discretion in granting relief, the Court, however, cannot, ignoring and keeping aside the norms and principles governing grant of relief, grant a relief not even prayed for by the Petitioner.'"

[emphasis supplied]

7. We find that the learned Single Judge has exceeded his jurisdiction in issuing the directions contained in Para 8(ii) to (iv) of the order, which is beyond the scope of the writ petition. Accordingly, the directions contained in Para 8(ii) to (iv) of the order dated 26.09.2024 are hereby set aside. Rest of the order shall remain intact.

With the aforesaid modification, this writ appeal is partly allowed. There shall be no order as to costs. Consequently, connected miscellaneous petition is closed.

(SUSHRUT ARVIND DHARMADHIKARI, C.J.) (G.ARUL MURUGAN J.)

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Index: Yes/No
Speaking/Non-speaking order
Neutral Citation: Yes/No



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