



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 27.08.2021

WEB COPY

CORAM:

THE HONOURABLE Mrs. JUSTICE V. BHAVANI SUBBAROYAN

W.P. No. 11110 of 2019

Mahalakshmi

.. Petitioner

Versus

1.The Inspector General of Registration,
No.100, Santhome High Road,
Chennai - 600 028.

2.The Manager,
TATA Consultancy Services,
Care of Inspector General of Registration
Office Campus,
No.100, Santhome High Road,
Chennai - 600 028.

3.The Sub-Registrar,
Avarapakkam,
Tindivanam - 604 001.

.. Respondents

Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus directing the respondents to register the Cancellation Deed executed by the petitioner dated 14.02.2019, without forcing the petitioner to go through the online process or in the alternative directing the respondents to rectify the defective software which refuses to register the Cancellation Deed executed by the petitioner within a stipulated time fixed by this Hon'ble Court.

For Petitioner : Mr. J.Antony Jesus

For Respondents : Mr. Yogesh Kannadasan
Government Advocate



O R D E R

This writ petition is filed for issuing a writ of mandamus directing the respondents to register the Cancellation Deed executed by the petitioner dated 14.02.2019, without forcing the petitioner to go through the online process or to direct the respondents to rectify the defective software which refuses to register the Cancellation Deed executed by the petitioner within a stipulated time fixed by this Hon'ble Court.

2. The case of the petitioner is that her daughter namely Prabhavathi, cheated the petitioner and obtained a gift settlement deed dated 16.08.2005, in her favour and the said document was registered in the office of the Sub Registrar, Avarapakkam as document No.1816/2005. It is stated that the said Prabhavathi executed the gift settlement deed in favour her husband and the same was registered as document No.6080 of 2007, in the office of the Sub Registrar, Avarapakkam. It is further stated that the petitioner's daughter refused to take care of the petitioner and refused to fulfil the basic needs of the petitioner. Hence the petitioner was made to stay with her son Sathiyamoorthy. It is stated that the petitioner executed a deed of cancellation on 14.02.2019, cancelling the settlement deed dated 16.08.2005, which was executed by the petitioner in favour of Prabhavathi. When deed of cancellation was presented before the third respondent, the third respondent informed the petitioner to upload the said cancellation deed and other documents and complete the process through online. When the petitioner attempted to register the documents through online, the same was denied by the website maintained by the respondents as the software produced by a private company is faulty. Hence, the petitioner made a representation to the respondents demanding them to register the cancellation deed. Since there was no response from the respondents, left with no alternative remedy, the petitioner approached this Court by way of this writ petition.

3. Learned counsel for the petitioner submitted that the second respondent is a private software manufacturing company engaged by the registration authorities. They had installed a faulty software which does not accept the documents uploaded by the petitioner. This causes violation of the petitioner's fundamental rights to equality guaranteed by the Constitution of



<https://hcservices.ecourts.gov.in/hcservices/>



To

1.The Inspector General of Registration,
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Tindivanam - 604 001.

3.The Manager,
TATA Consultancy Services,
Care of Inspector General of Registration
Office Campus,
No.100, Santhome High Road,
Chennai - 600 028.

Copy to
The Social Welfare Department, Secretariat, Chennai-9.

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CA(CO)
B.VC (02/11/2021)