

**BEFORE THE  
TAMIL NADU REAL ESTATE REGULATORY AUTHORITY,  
CHENNAI**  
**Quorum : Hon'ble Mr. G. Saravanan, M.A.,B.L., Adjudicating Officer,**  
**SR. No. 503 of 2021**  
**in**  
**Unnumbered CCP No. of 2021**

1. L.N.Sriraman
2. L.N.Meera
3. Shanthakumari Krishnan
4. L.N.S.Mukundan

.... **Complainants**

**Vs.**

1. M/s.Serene Senior Living Pvt.Ltd,  
Rep by its Director
2. M/s.Adinath Srinivas Foundations LLP  
Rep by its Managing Partner

.... **Respondents**

Complainants : Rep. by M/s. M.Vidya & N Jayachander , Advocates.

**Heard on : 26.10.2021**

**Delivered on : 12.11.2021**

The complaint filed by the above complainants claiming refund of amounts paid to the respondents towards purchase of flats with interest, compensation and cost under section 31 read with Section 71 of the Real Estate (Regulation and Development) Act, 2016 (hereinafter referred to as RERA Act).

**2. Averments of the complainants, in brief, as follows :-**

(a) The complainants are senior citizens and siblings and intended to live their last years of life together and jointly purchased four neighboring villas from the respondents. The transaction was treated as one and the fourth complainant dealt with all the issues relating to the four villas as their power agent in 2013. The respondents developed and promoted the project 'Serene Kshetra' in Nathapettai Village, Kancheepuram District for senior living. The

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second respondent is the developer/promoter and the first respondent is the exclusive marketing agent of the project and all the transactions were made only through the first respondent. The complainants filled up the booking forms bearing Nos.902, 903, 904 and 930 and paid a sum of Rs.5,00,000/- each as advance. The allotment of four villas was made to the complainants. Subsequently, the complainants paid further amounts for the purchase of the villas. The respondents failed and neglected to complete the project and handover possession of the villas. Hence the complainants preferred for return of the amounts with interest, compensation and cost.

**3. The point for consideration is:**

Whether single complaint by the complainants for return of the amounts paid to the respondents towards purchase of four separate villas is maintainable?

**4. Answer for the Point:-**

(a) The learned counsel for the complainants submitted that all the complainants are senior citizens and siblings and they intended to live their life together and therefore jointly purchased four neighboring villas from the respondents and the transaction was to be treated as one and therefore the numbering of the complaint is to be done by this Forum.

(b) Even though, it is stated that the complainants jointly purchased the villas, it is specifically averred in the complaint that the complainants booked one villa each, totaling to four villas in all and filled up the separate booking forms bearing nos.902,903, 904 on 14.11.2013 and 930 on 28.11.2013 and separate allotment of units V1-1, V1-2, V1-3, V1-4 respectively were made by the respondents.

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(c) On consideration of the facts and circumstances of the case, it is held that the complaint cannot be treated as a single transaction by all the complainants, allowing the complainants to file a single joint complaint with a fee payable on one complaint. The complainants have to prefer separate complaints in respect of the unit allotted to them with a separate fee. Considering the above, the complaint is rejected. However, liberty is given to the complainants to file separate complaints with regard to their respective units and also to retain S.R. No. and the fee paid in this case to any one of the complaints to be filed by them. Thus, the point is answered accordingly.

**In the result, the complaint is dismissed as not maintainable.**

Sd/- 12.11.2021  
G. SARAVANAN  
ADJUDICATING OFFICER  
TNRERA, CHENNAI

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12.11.2021  
LAW OFFICER  
TN REAL ESTATE REGULATORY AUTHORITY