



**BEFORE THE
TAMIL NADU REAL ESTATE REGULATORY AUTHORITY
CHENNAI**

C.Nos.141/2018

Tvl. C.R. Chenthirkumaran & C. Dhanalakshmi ... Complainants

Versus

M/s. Sylvanus Builders and Developers Ltd. ... Respondent

Tvl. Sridhar Puniamurthy Mary Stella, A. Jayakumar, S. Nagalingam and Sudha Ramalingam, Counsel representing complainant appeared before the Authority. Tvl. S. Eithiraj, General Manager, S. Sankar (Operation-Head) of the Respondent's Company and Jagruti Dekavadiya and K.S. Srinivasan Counsels representing the Respondent's Company appeared before the Authority.

Coram : Thiru S. Krishnan, I.A.S.,
Principal Secretary to Government
Housing & Urban Development Dept. and
Real Estate Regulatory Authority

7th February 2019

The Respondent's Counsel has handed over a e-mail copy sent by the complainant to the Respondent with a copy communicating to TNRERA. In the e-mail the complainant has stated that the matter has been settled between the parties and accordingly requested the Authority to close the complaint with immediate effect.

Though, the complaint is withdrawn, the issue regarding exempting the project under Rule 2(h)(iii) is not resolved. Thiru S. Ethiraja, authorised signatory for M/s. Sylvanus Builders and Developers Limited has furnished a certificate before DTCP stating that the columns, beams and slabs has fully been completed for the project "AURM" villa at Pudupakkam Village and availed exemption under Rule 2(h)(iii). The authorised signatory has also enclosed a certificate on 29.062017 to this effect from the structural engineer

Thiru A. Peramaiyan, M/s. Bura Engineers (I) Pvt. Ltd., along with photographs as on 29.06.2017. But as per the inspection report furnished by the Member-Secretary (i/c), Mamallapuram Local Planning Authority in his letter Roc. No.5120/2018/MLPA dated 5.12.18, the villa Ground + First floor – 5 Nos. (A2S - 2 Nos., C1S, A1W and A1E) work not yet started. Also the EWS block (Stilt + 4 floors) comprising of 3 blocks with 120 dwelling units construction work is yet to be started. Accordingly, AURM Villa project falls under the definition of on-going project which is registrable. An order has also passed on 7.1.2019 by this Authority directing the Commissioner, Chennai Corporation to take action against the Structural Engineer for furnishing a false certificate and availed exemption under Rule 2(h)(iii). Also the Commissioner, Town and Country Planning and Member-Secretary (i/c), MLPA has been directed to initiate action against the promoter for not constructing EWS Block which is mandatory while according approval.

FINAL ORDER

- 1) As the complainant withdrew the complaint, the complaint is closed as withdrawn.
- 2) As the project AURM Villa falls under the definition of on-going project, the respondent is directed to register the project within two weeks from the date of this order.

Sd/-.....07.02.2019

Principal Secretary to Govt., H&UD Dept., and
Real Estate Regulatory Authority

/TRUE COPY/FORWARDED/BY ORDER


GRIEVANCE OFFICER.
