



**BEFORE THE TAMIL NADU REAL ESTATE
REGULATORY AUTHORITY (TNRERA)
(Tamil Nadu, Andaman & Nicobar Islands)
at Egmore, Chennai – 600 008**

[Under the Real Estate (Regulation and Development) Act, 2016]

C.Nos.122 & 123/2022

20th day of July, 2023

**Coram : Thiru K. Gnanadesikan, I.A.S. (Retired), Chairperson
Er. S. Manohar, Member
Adv. V. Jeyakumar, Member**

1) D. Raja Rajeswari	122/2022]	Complainants
2) D. Sankara Subramanian	123/2022]	

Versus

M/s. S.M. Properties]	Respondent
Represented by its Director]	
Thiru Shiv Shankar Damani]	

The above Complaints came up for final hearing before this Authority in the presence of M/s. Senthilnathan - Counsel for Complainants and of M/s. K. Sivakumar - Counsel for Respondent. This Authority passes the following order.

COMMON FINAL ORDER

The Complainants D. Raja Rajeswari and D. Sankara Subramanian have submitted in the Complaint that the Complainants' parents Mr.V.Dhakshinamurthy & late Mrs.Vijayalakshmi Dhakshinamurthy joined

the scheme for burying two plots each in group Nos.EO-91 & EO-94 and EO-92 & EO-93 respectively and as per the said scheme they were expected to deposit the cost of the plots duly approved by the DTCP and the total cost per plot was Rs.90,000/- to be paid at the rate of Rs.3,000/- per month. The Complainants have also stated that a pass book has been maintained for recording the payments, a copy of the same is enclosed along with this Complaint and the said pass book contains the conditions of the scheme. It is also stated that the Complainants' parents have fully paid the entire installments which started from April 2011 and completed the installments in September, 2013, totaling 30 months.

2. The Complainant has further submitted that they have been repeatedly insisting S.M. Properties for registration of the plots, but the Respondent has been giving lame excuses. Therefore, the Complainants have prayed that this Authority may direct the Respondent to register and handover two plots 1200 sq.ft. x 2 plots = 2400 sq.ft. each to the Complainants in the same locality initially agreed upon or repay the appreciated land value of two plots to each of the Complainants including any interest accrued taking into account the land appreciation value over the past 12 years for a seed investment of Rs.1,80,000/- by each of the Complainants.

3. The Respondent has submitted that the Respondent is willing and ready to execute the sale deeds.

4. In the written submissions filed on behalf of the Complainants, it is submitted that as the Respondent has made assurance, the same may be

recorded and two plots to each of the Complainants may be ordered to be registered at the cost of the Respondent within one month.

5. This Authority has examined the Complaints, the reply of the Respondent Promoter and the written submission of the Complainants carefully.

6. The Respondent Promoter has stated that this layout has also been registered with this Authority on 16.05.2022 and they are willing to register the sale deed.

7. Therefore, this Authority directs the Respondent Promoter to execute the sale deed in favour of the Complainant Allottee under Section 17 of the Act before 30.09.2023 without fail.

8. With the above direction, these Complaints are disposed of.

Sd/-...20.07.2023

MEMBER (M), TNRERA

Sd/-...20.07.2023

MEMBER (J), TNRERA

Sd/-...20.07.2023

CHAIRPERSON, TNRERA

/TRUE COPY/FORWARDED/BY ORDER

N. Anand
20/7/2023
ADMINISTRATIVE OFFICER

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20-7-23