



**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]

E.P.No.12/2022 in C.No.125/2020

20th day of April, 2023

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

Serene Kshetra Owner's Association (SKOA)] Execution Petitioner/
Rep. by its Authorised Signatory/Executive] Complainant
Member, Thiru D. Vijayalakshmi]

Versus

M/s. Adinath Srinivasa Foundations LLP.] Respondent/
Rep. by its Designated Partner] Respondent

The above Execution Petition came up for final hearing before this Authority in the presence of M/s. Ralph V.Manohar – Counsel for Execution Petitioner and of M/s. S.Senthil and N.Zahid Ahmed – Counsel for the Respondent. This Authority passes the following order:

ORDER

The Execution Petitioner M/s. Serene Kshetra Owner's Association (SKOA) has filed this Execution Petition praying this Authority to impose penalty to the Respondent Promoter for failure to comply the orders of this Authority dated 19.07.2021 passed in Complaint No.125/2020 and to direct the Respondent Promoter to complete all the amenities mentioned in C.No.125 of 2020 and promised to the allottees right at the commencement of the operations without fail before 31.03.2022.

2. In the Counter Affidavit filed by the Respondent Promoter in response to this Execution Petition, it has been submitted by the Respondent Promoter that as per construction agreement with the allottees, the Respondent herein was to complete only i) compound wall, ii) development of garden and c) pharmacy (medical centre), all of which have been duly completed and have been handed over. The Respondent has further submitted that nowhere it was promised that the Respondent will provide solar water heater systems in individual units, Amphi theatre and ATM in the premises and that the same is concocted and imaginary. However, despite the Amphi theatre not being promised, it is still being provided to the Allottees owing to the availability of space, which is undergoing completion.

3. The Respondent has also submitted that the shuttle drop service is under the purview of the service provider (M/s. Columbia Pacific Communities Private Ltd. formerly known as M/s. Serene Senior Care Pvt. Ltd. i.e. the 3rd Respondent in Complaint No.125 of 2020) and that the same was promised to the Allottees by the service provider by individual

service agreements executed with the Allottees. Further it is also submitted that the shuttle drop service has also been made functional by the service provider.

4. This Authority has examined the Execution Petition, the Affidavit filed by the Execution Petitioner and the Counter Affidavit/Compliance Affidavit filed by the Respondent Promoter, carefully.

5. As the Respondent Promoter has given details of Compliance in terms of the orders of this Authority in respect of common amenities as per the construction Agreement made with the Allottees, this Authority accepts the submissions of the Respondent Promoter and holds that the orders of this Authority in C.No.125/2020 dated 19.07.2021 in respect of amenities is complied with by the Respondent Promoter and accordingly this Execution Petition is disposed of.

Sd/-...20.04.2023

MEMBER (M), TNRERA

Sd/-...20.04.2023

MEMBER (J), TNRERA

Sd/-...20.04.2023

CHAIRPERSON, TNRERA

/TRUE COPY/FORWARDED/BY ORDER

N. [Signature] 20/4/2023
ADMINISTRATIVE OFFICER

20.4.23