



**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.No.108/2023**

**2<sup>nd</sup> day of November 2023**

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

E. Sudhamathi ... Complainant

Versus

Thiru G. Senthil Kumar  
M/s. Sakthivel Builders ] Respondent

The Counsel for the Complainant present

Neither the Respondent Builder nor their Counsel present

This Complaint is not maintainable in view of the recent orders of the Hon'ble High Court of Madras dated 20.09.2023 in CMSA Nos.23 and 24 of 2020 and CMP(MD) Nos.9226 & 9236 of 2020 and 5221, 5219, 9499 & 21214 of 2022 between M/s.Devinarayan Housing and Property Developments Private Limited Vs. Manu Karan and others wherein the Hon'ble High Court of Madras has held in para 11.5 that the Authorities, Adjudicating Officer referred to in the RERA Act are entitled to deal with the issue regarding the registered real estate project alone. As far as unregistered real estate project is concerned, they will not have any control over the same and in case, if any person is aggrieved of the unregistered

real estate project; they have to approach either before the Civil Court or consumer forum in accordance with law and not before RERA. The Hon'ble High Court of Madras has further held that the word 'Or' used in Section 3(2)(a) of the RERA Act has to be read disjunctively.

Taking judicial notice of the above rulings of the Hon'ble High Court of Madras, this Authority notes that this real estate project has 3 Villas, out of which 2 Villas are for the Complainant and one Villa for the Respondent and also the extent of land to be developed is 2400 sq.ft. only which is less than 500 sq.mtr.

As the total number of Villas in this real estate project does not exceed eight as well the extent of land to be developed is less than 500 sq.mtr., this Authority has no jurisdiction over this real estate project as per the above ruling of the Hon'ble High Court of Madras.

Accordingly this Complaint is not maintainable and dismissed.

\*\*\*\*\*

**ORDER**

The Authority dismissed this Complaint as not maintainable

Sd/-...02.11.2023  
MEMBER (J), TNRERA

Sd/-...02.11.2023  
CHAIRPERSON, TNRERA

/TRUE COPY/FORWARDED/BY ORDER

  
LAW OFFICER, TNRERA