



**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.38/2023 in C.No.94/2022
25th day of July, 2024**

Coram: Thiru Sunil Kumar, I.P.S. (Retired), Chairperson i/c

Thiru S. Ashokkumar ... Execution Petitioner/
Complainant

Versus

- | | | |
|---------------------------------|---|--------------|
| 1) M/s. S dot G Housing |] | |
| Rep. by its Chairman, |] | |
| Thiru Sivashanmugam |] | Respondents/ |
| 2) M/s. S dot G Housing |] | Respondents |
| Rep. by its Vice Chairman, |] | |
| Thiru I.S. Santhosh |] | |
| 3) M/s. S dot G Housing |] | |
| Rep. by its Partner, Tmt. Gowri |] | |

Complainant : Rep. by M/s. R. Thomas, Advocate
Respondent : Rep. by M/s. N. Umapathi, Advocate

ORDER

The above Execution petitioner has filed this petition stating that the order of this Hon'ble Authority has not been complied with by the Respondents before 30.06.2023 as ordered by this Hon'ble Authority vide its order in C.No.94 of 2022 dated 23.03.2024. The orders of this Hon'ble

Authority is not complied even till day by the Respondents as the Real Estate Project was not registered with this Authority as required under Section 4 of the Real Estate (Regulation and Development) Act, 2016. Thus the Respondents gave scant regard to the orders of this Hon'ble Authority. The Applicant, therefore prays that this Hon'ble Authority may be pleased to invoke Section 59 sub Clause 1 and 2 and impose penalty and fine respectively and initiate criminal prosecution against the Respondents and thus render justice.

2. The Appeal filed by the Respondents before the Hon'ble Appellate Tribunal in Appeal No.8/2024 has also been dismissed by the Hon'ble Appellate Tribunal vide its order dated 21.02.2024. The Respondent has also not filed the Counter on this Execution Petition.

3. The Authority has examined the Execution Petition filed by the Complainant and no Compliance Affidavit was filed by the Respondent.

4. The Authority in its order dated 23.03.2023 has directed the Respondent Promoter to register the real estate project "S dot G Flora", Veppampalayam with this Authority before 30.06.2023 which has not been complied with by the Respondent Promoter so far thereby contravening Section-3 of the Act.

5. Therefore, under Section-59(1) and Section-63 of the Act, this Authority imposes a penalty of Rs.2,00,000/- (Rupees Two Lakhs only) for non registration of this real estate project till date. This penalty shall be paid before 30.09.2024.

6. The Respondent Promoter is hereby directed to comply with the direction of this Authority vide its order dated 23.03.2023 on or before 30.09.2024.

7. If the Respondent Promoter fails to comply with the above said direction as ordered above, particularly for non registration of the project in contravention of the Act, this Authority direct the Consultant, TNRERA shall prefer a criminal complaint against the Respondent Promoter under Section-59(2) of the RERA Act before the jurisdictional Magistrate Court.

8. The Registry shall file its report in this regard as above ordered.

9. The matter in this Execution Petition shall be listed in the month of September, 2024.

Sd/-...25.07.2024
CHAIRPERSON i/c, TNRERA

/TRUE COPY/FORWARDED/BY ORDER

N. Anand
25/7/2024
LAW OFFICER, TNRERA

Copy to:

- 1) Additional Director-I, TNRERA
- 2) Thiru V.K. Surendranath, Consultant, TNRERA