



**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.54/2023 in C.No.143/2020

25th day of July, 2024

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

K.R. Anantharaman]	Execution Petitioner/ Complainant
Versus		
Thiru Y. Gangadhar Managing Director M/s. AnanyaKrishnaa Constructions Pvt. Ltd.]	Respondent/ Respondent

Complainant : Rep. by M/s. K.S.Shankar Chakrapani, Advocate
Respondent : Absent

ORDER

The above Execution petitioner has filed this petition to execute the orders passed by this Authority in C.No.143 of 2020 dated 19.08.2021.

2. The Respondent has not obtained any stay in any appeal preferred by the Respondent before the Appellate Tribunal nor has he complied with the directions of this Authority. No counter filed by the Respondent.

3. In the above Execution Petition, the petitioner has prayed for the following and to execute the orders passed in Complaint No.143/2020 dated 19.08.2021 as follows:

- a) Direct the Developer to obtain and furnish the completion certificate from CMDA (para 17(e) of the JV Agreement refers).
- b) To pay a sum of Rs.5 lakhs of non refundable deposits to each of their owners as per the JV Agreement (para 6(a) of JV Agreement refers).
- c) To furnish the construction, furnish the assured interiors, equipment, accessories and all matters, and to deliver possessions of the respective flats to their owners as per agreements (para 11 & 12 of JV Agreement refers).
- d) To obtain permanent electricity and water connection and to furnish mandatory building related documents such as TNEB/EB/Metro/Sewage connections/CMDA approval, Corporation tax assessment records (para 11 of JV Agreement refers).
- e) To pay the arrears of rent payable to each of the owners as per the JV Agreement (para 6(b) of JV agreement refers).

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

5. The Authority in its order dated 19.08.2021 has issued certain directions to the Respondent Promoter which have not been complied with by the Respondent Promoter.

6. Therefore, this Authority under Section-63 of the Act, imposes a penalty of Rs.1,00,000/- (Rupees One Lakh only) for failure to comply with the above directions. This penalty shall be paid before 30.09.2024.

7. The Respondent Promoter is hereby directed to comply with the directions of this Authority vide its order dated 19.08.2021 on or before 30.09.2024.

8. If the Respondent Promoter fails to comply with the direction as ordered by this Authority in its order dated 19.08.2021, particularly for non registration of the project in contravention of Section-3 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.

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

10. 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. Nimmayy 25/7/2024
LAW OFFICER, TNRERA

Copy to:

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