



**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.007/2023 in C.No.001/2022**

**13<sup>th</sup> day of September, 2023**

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

Tmt. Kotteeswari ] Execution Petitioner/  
] Complainant

Versus

M/s. Prathiksha Properties ]  
Rep. by its Partner ] Respondent/  
Thiru K.S. Ramakrishnan ] Respondent

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The above Execution Petition came up for final hearing before this Authority in the presence of M/s. T.Sudha Gandhi – Counsel for Execution Petitioner/Complainant and of M/s.K.Vasanthanayagan – Counsel for Respondent. This Authority passes the following order:

## **ORDER**

The Execution Petitioner has filed this Execution Petition for execution of the orders passed by this Authority dated 12.10.2022 in Complaint No.001/2022.

2. The Respondent Promoter has filed Compliance Affidavit and has stated that the Respondent Promoter has made 2 flats ready for handing over to the Execution Petitioner/Complainant Allottee and that the Execution Petitioner/Complainant Allottee has to pay a balance of Rs.7,30,733/- in respect of flat No.A2 and Rs.9,77,166/- in respect of flat No.C1 and therefore the Respondent Promoter is not in a position to handover the above 2 flats.

3. In the order dated 12.10.2022 in Complaint No.001 of 2022, this Authority has noted that the total construction cost of flat No.C1 is Rs.55,14,609/- inclusive of service tax as per the registered construction agreement dated 15.06.2017. The Respondent Promoter itself had admitted in the Compliance Affidavit that the Complainant Allottee has paid Rs.55,80,969.

4. Therefore, this Authority directs the Respondent Promoter to handover the Flat No.C1 immediately without further loss of time with the Complainant Allottee not having to pay any further sum of money to the Respondent Promoter.

5. Similarly, in respect of Flat No.A2, the total construction cost was mentioned as Rs.58,29,825/- inclusive of GST as per the construction agreement.

6. The Respondent Promoter itself has stated in the compliance Affidavit that the Complainant Allottee has paid Rs.60,75,000/- in respect

of Flat No.A2. Therefore, the question of payment of further sum of money to the Respondent Promoter in respect of Flat No.A2 does not arise.

7. Therefore, this Authority directs the Respondent Promoter to hand over the Flat No.A2 to the Complainant allottee immediately without further loss of time with the Complainant allottee not having to pay any further sum of money to the Respondent Promoter in respect of the Flat No.A2.

8. The Authority also directs the Respondent Promoter to file a Compliance Affidavit strictly in compliance with the above direction of this Authority before 30.11.2023.

9. With the above findings and directions, the Execution Petition No.07/2023 in C.No.001/2022 is disposed of.

Sd/-...13.09.2023

MEMBER (M), TNRERA

Sd/-...13.09.2023

MEMBER (J), TNRERA

Sd/-...13.09.2023

CHAIRPERSON, TNRERA

/TRUE COPY/FORWARDED/BY ORDER

  
ADMINISTRATIVE OFFICER  
13.9.23