



**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.005/2017

6th day of June 2019

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

Thiru C. Sathish Kumar ... Complainant

Versus

M/s. Real Value Promoters Pvt. Ltd. ... Respondent

Orders reserved on: 29.04.2019

Orders delivered on: 06.06.2019

FINAL ORDER

The complainant has booked a Flat No.6-E (1533 Sq.ft.) for a total consideration of Rs.1,81,47,541/-. Construction Agreement has been signed by both the parties on 24.09.2015 and construction to be completed within 3 years, with a grace period of 6 months from the date of the agreement or from the date of obtaining all statutory approvals whichever is later, subject to

force majeure conditions as mentioned in Clause-16. As no progress is made in the construction, the complainant has cancelled the booking on 14.02.2017.

The complainant has prayed for the following relief:

- i) To direct the respondents to pay penalty of a sum of 5% of the estimated cost of the project as to be determined by the Authority for contravening Section 12 & Section 18 of the Act.
- ii) To direct the respondents to pay penalty of a sum of Rs.10,000/- for each day upto 5% of the estimated cost of the project from the date of booking to the date of cancellation, as to be determined by the Authority contravene Sections 9 & 10 of the Act.
- iii) To freeze the bank account of the respondents so as to restrain them from operating the accounts to ensure that the money is not diverted and loss is caused to the purchasers.
- iv) To pay cost and pass such other reliefs as this Hon'ble Authority deem fit.

2. During the course of arguments, the complainant has stated that he has filed Form 'N' for refund of booking amount and the case has been adjudicated and orders passed by the Adjudicating officer for refund of the booking amount. But the Respondent is yet to comply with the orders for refund.

3. The Respondent is directed to comply with the orders of the Adjudicating Officer and accordingly, the complaint is treated as closed.

Sd/-.....06.06.2019
MEMBER (M), TNRERA

Sd/-.....06.06.2019
MEMBER (J), TNRERA

Sd/-.....06.06.2019
CHAIRPERSON, TNRERA

/TRUE COPY/FORWARDED/BY ORDER

P
06/06/2019

M. J. ...
ADDITIONAL DIRECTOR (OPERATION)