



**BEFORE THE
TAMIL NADU REAL ESTATE REGULATORY AUTHORITY
CHENNAI**

COMPLAINT NO.74/2018

S. Madhavan ... Complainant

Versus

M/s. Mahindra Lifespace Developers Ltd. ... Respondent

Coram : Thiru S. Krishnan, I.A.S.
Principal Secretary to Government
Housing & Urban Development Dept and
Real Estate Regulatory Authority

FINAL ORDER

The complainant has filed under Section 31 of the Act against the Respondent for refund of additional amount collected from the complainant for the Flat booked in Block-I in the project at Old S.Nos.463, 465/1 etc., T.S.No.72/2 etc., Block No.84, Ward No.1 of Paruthipattu Village, Chennai.

The Respondent has stated that the construction of the apartment was completed and handed over to the complainant in August 2016 before RERA came into force. It is further stated that the flat booked by the complainant is in Block-I for which completion certificate has been issued by CMDA in Letter No.EC/N-II/145/2016, dated 20.04.2016, The Respondent has taken a stand that Section 3 (1) of the Real Estate (Regulation & Development) Act, 2016 read with clause 2 (h) (ii) of the Tamil Nadu Real Estate (Regulation & Development) Rules, 2017 specifically excludes the projects for which

completion certificate has been issued. Hence, the project does not have to be registered with RERA under the transitional provisions as they stand.

Therefore, as the flat booked by the complainant is not a part of any project registered with TNRERA, this Authority has no jurisdiction to entertain this complaint. The complainant is at liberty to agitate his grievances before the appropriate forum.

Sd/-.....17.09.2018
Principal Secretary to Govt., H&UD Dept., and
Real Estate Regulatory Authority

/TRUE COPY/FORWARDED/BY ORDER


GRIEVANCE OFFICER
