



**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.144/2018, 270 to 272/2019, 347 to 349/2019, 355/2019,
361 to 363/2019, 432/2019 and
E.P.No.2/2019 in C.Nos.156 to 158/2017 & 139 to 142/2018**

10th day of February, 2020

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

Tvl.	Complaint Nos.	
1) Dr. K.C. Shanthi	144/2018] Complainants
2) C. Pushpalatha	270/2019]]
3) Sridhar Punniamurthy	271/2019]]]
4) Senthil Manohar Radhakrishnan	272/2019]]]]
5) Premnath Chandrasekaran	347/2019]]]]]
6) Thangavel Thavamani	348/2019]]]]]]
7) Parthiban Karuppaiah	349/2019]]]]]]]
8) Rajan Azhagu	355/2019]]]]]]]]
9) Suresh Abirami	361/2019]]]]]]]]]
10) Visaka Chockalingam	362/2019]]]]]]]]]]

11) P.N. Vidhya & Manikandan	363/2019]
]
12) R. Nirmala	432/2019]
]
13) Shanthi Ramachandran	156/2017] Execution
14) M.P.Murugaiah	157/2017] Petitioners
]
15) Mary Stella	158/2017]
]
16) S.Nagalingam	139/2018]
]
17) Ananda Narayanan	140/2018]
]
18) C.R.Chenthirkumaran & C.Dhanalkshmi	141/2018]
]
19) A.Jayakumar	142/2018]

Versus

M/s. Pacifica (Chennai Project)
Infrastructure Pvt. Ltd.

Respondent

These Complaints came up for final arguments before the Authority in the presence of the Complainants, having appeared in person and of Thiru Stephen C.Kumar, Mr.K.S.Srinivasan – Counsel for the Respondent and upon hearing the arguments of both the parties this Authority passes the following order.

FINAL ORDER

The Complainants had complained about the delay in construction and completion of the apartments booked by them and prayed for

registration of the Blocks in which they have booked apartments with TNRERA.

2. The Authority had also directed the Respondent to register the Blocks-A1, B1 and D1. The Respondent had filed an Appeal against the order of this Authority and subsequently withdrew the Appeal and has registered the Blocks-A1, B1 and D1 with the Authority. To that extent the prayer of the Complainants has been complied with.

3. However, some of the allottees wanted swap of the apartment booked by them in Block-D to an apartment of their choice in the other 2 Blocks.

4. This Authority has also directed the Respondent Developer to facilitate the swap at the same rate per square foot originally booked by the Allottees and that the Respondent Developer shall bear the cost of the registration since the swap is on account of the delay in construction on the part of the Respondent Developer.

The Respondent has also agreed to this direction of this Authority. At the same time the Complainant Allottees in these Blocks are at liberty to move the Adjudicating Officer for refund of the amount paid by them with interest, compensation, etc. on account of the delay in construction by the Respondent. Some of the Complainants have already filed petitions for refund with interest, compensation, etc. with the Adjudicating Officer of this Authority.

5. Therefore, these Complaints are closed, since the three Blocks have been registered with the Authority and the Complainants are at liberty to move the Adjudicating Officer of this Authority for refund with interest, compensation, etc.

6. Accordingly, the Execution Petitions filed by the Execution Petitioners have become infructuous on account of the registration of the Blocks-A1, B1 and D1 with the Authority.

Sd/-...10.02.2020
MEMBER (M), TNRERA

Sd/-...10.02.2020
MEMBER (J), TNRERA

Sd/-...10.02.2020
CHAIRPERSON, TNRERA

/TRUE COPY/FORWARDED/BY ORDER

N. P. ...
ADMINISTRATIVE OFFICER

...
...