

**BEFORE TELANGANA STATE REAL ESTATE REGULATORY AUTHORITY**  
**[Under the Real Estate (Regulation and Development) Act, 2016]**

**COMPLAINT NO.172 OF 2023**

**22<sup>nd</sup> Day of December, 2023**

**Corum:** **Dr. N. Satyanarayana, IAS (Retd.), Hon'ble Chairperson**  
**Sri K. Srinivasa Rao, Hon'ble Member**  
**Sri Laxmi Narayana Jannu, Hon'ble Member**

Sri Dennis George ...Complainant

Versus

Sri Ravinder Reddy & 2 Ors. ...Respondents

The present matter filed by the Complainant herein came up for hearing on 03.10.2023, 07.11.2023 & 19.12.2023 before this Authority in the presence of the Complainant in person, and none for the Respondents, and upon hearing the arguments, this Authority passes the following **ORDER:**

2. The present Complaint has been filed under Section 31 of the Real Estate (Regulation and Development) Act, 2016 (hereinafter referred to as the "Act") read with Rule 34(1) of the Telangana Real Estate (Regulation and Development) Rules, 2017 (hereinafter referred to as the "Rules") requesting appropriate action against the Respondent Builder.

3. The Complainant alleges that there is a land fraud of an amount of Rs.36.5 Lakhs that was done by M/s Dhruvitha Sai Enterprises represented through its Managing Director, Sri Ravinder Reddy and Branch Manager, Sri Sairam by showing the fake land of "Green Leaves Venture". He further submits that the landowner, Sri Ravuri Srinivas Rao who is also partly involved in this fraud has

been cheating people by showing fake lands. He alleged that the Respondents showed the Complainants land in “Green Leaves Venture” on 18.07.2021 located in Arutla, Kandi, Sangareddy District. The Respondents allocated the Complainant along with his wife, sister and two neighbours in Block E bearing Plot Nos.67, 68, 69 and 70 and for the above plots Smt. Manisha Mathew paid 10.50 lakhs, Smt. Denna George paid 10 Lakhs, Smt. Mounika Saliganti paid 10 Lakhs and Smt. Pista Devi paid 6 lakhs being a total of Rs.36.5 lakhs out of which Rs.10 lakhs was paid to the company account i.e., to M/s Dhruvitha Sai Enterprises and the remaining Rs. 26.5 lakhs to Sri Sai Ram, Branch Manager.

4. The Complainant submits that in September, 2021, after the Respondents received full payment, the Respondents delayed the registration process. Later the Complainants found that the Respondents have fraudulently taken the amounts from the Complainants. He added that FIR has been registered against the Respondents which resulted in a refund of Rs.20 Lakhs and the remaining Rs.16.5 Lakhs is yet to be paid by the Respondents to the Complainant, his wife, sister and neighbours. In lieu thereof, the Complainant prayed for refund of Rs.16.5 Lakhs along with interest of Rs.2 Lakhs from the Respondent.

5. This Authority issued notices to the Respondent, however the same was returned with a remark “no such person”. After directing the Complainant to serve the Notice, the Complainant filed an acknowledgement before this Authority without any remarks/signatures from the Respondents. Therefore, it cannot be said that notice is complete on Respondents. Therefore, there is no appearance on behalf of the Respondents.

6. The Complainant has filed an unregistered Memorandum of Understanding dated 03.08.2021 executed between M/s Dhruvitha Sai Enterprises and Smt. Pista Devi, an unregistered and undated Memorandum of Understanding executed between M/s Dhruvitha Sai Enterprises and Smt. S. Mounika, bank transaction history of one Sri Saliganti Mahender, an unregistered Memorandum of Understanding dated 12.09.2021 executed between M/s Dhruvitha Sai Enterprises and Smt. Denna George and another unregistered Memorandum of Understanding dated 20.10.2021 executed between M/s Dhruvitha Sai Enterprises and Smt. Manisha Mathew.

7. The Complainant also filed *pattadar* pass book of the land which shows Ravuri Srinivas Rao being owner of Survey No.80/1/4 and 81/2 in Arutla, Kandi, Sangareddy District, Telangana along with other documents. After perusal of documents, more specifically the *pattadar* pass book as mentioned above, it is understood that the land, so alleged to have been purchased by the wife of the Complainant and others is an agricultural land. The said Respondent has made an unauthorized layout consisting of open plots which falls under agricultural land use. The Complainant, though not authorized to file a complaint on behalf of his wife, sister and others has not produced any document to establish that the said land has been converted by virtue of an N.A. permission or an order granted by competent Authority to develop the same. In this regard, a judgment of the Ld. Maharashtra Real Estate Appellate Tribunal in Appeal No.U-21 in SC10000227 titled "*Mohammad Zain Khan vs. Emnoy Properties India & Ors.*" dated 09.10.2019 is relevant and squarely fits the point for consideration before this Authority.

8. The Hon'ble Tribunal held as under:

*“13.(iv). We have given a thoughtful consideration to the relevant provisions of the Act. In our view the real estate project as defined under Section 2(zn) contemplates development of land into plots or apartments. In case of an agricultural land, as is the case in the instant appeal, to be designated as a real estate project, necessary permissions are required to effect the development of the said land. Compliance of such a requirement also seems essential from the perspective of provisions under Section 11(4) detailing therein the obligations of a promoter and Section 4 for mandating the requirements of certain documents/ permissions necessary for registration of the project under Section 3 of the Act. In this regard, we note that Complainant has utterly failed to establish that the said land had all necessary N.A. or other permissions for its development and for undertaking its registration as real estate project under the Act.”*  
(emphasis applied)

9. Therefore, as the Complainant failed to bring any material on record to prove the land being converted for development and since no permission has been sought by the Respondent for the development by the competent authority subsequently, it cannot be said that the said project comes within the purview of this Authority. In lieu thereof, the present complaint stands disposed of.

**Sd/-**  
**Sri K. Srinivasa Rao,**  
**Hon'ble Member,**  
**TS RERA**

**Sd/-**  
**Sri Laxmi Narayana Jannu,**  
**Hon'ble Member,**  
**TS RERA**

**Sd/-**  
**Dr. N. Satyanarayana, IAS (Retd.),**  
**Hon'ble Chairperson,**  
**TS RERA**