

BEFORE TELANGANA REAL ESTATE REGULATORY AUTHORITY

[Under the Real Estate (Regulation and Development) Act, 2016]

Complaint No.211/2025/TG RERA (Penalty Order)

Dated: 27th December, 2025

Quorum:

Dr. N. Satyanarayana, IAS (Retd.), Hon'ble Chairperson

Sri K. Srinivasa Rao, Hon'ble Member

Sri Laxmi Narayana Jannu, Hon'ble Member

Complaint No. 211 of 2025

1. Hara Prasad Sabat

2. Siba Prasad Sabat R/o: Plot No. 20, Axis Papa Homes, Near Laxmi Nivas, Ameenpur, Sangareddy District, Telangana - 502033

...Complainants

Versus

M/s SSL Infra Developers Rep. by Sri Sivapuram Surendra Kumar, R/o: H.No. 8-3-1007/A, Flat No. 201 & 301, ZNR United Splendour, Srinagar Colony, Hyderabad, Telangana - 500073
...Respondent

Complaint No. 212 of 2025

1. Hara Prasad Sabat

2. Siba Prasad Sabat R/o Plot No. 20, Axis Papa Homes, Near Laxmi Nivas, Ameenpur, Sangareddy District, Telangana – 502033

...Complainants

Versus

M/s SSL Infra Developers Rep. by Sri Sivapuram Surendra Kumar, R/o: H.No. 8-3-1007/A, Flat No. 201 & 301, ZNR United Splendour, Srinagar Colony, Hyderabad, Telangana - 500073

...Respondent

The above-named **Complaint No. 211 of 2025 and 212 of 2025** was instituted by the Complainant before the Telangana Real Estate Regulatory Authority (hereinafter referred to as “the Authority”) against the Respondent in relation to the project titled “*Peacock Estate Phase II*” situated in Survey Nos. 224 (Part), 225 (Part) and 228 (Part) of Thummala Pally Village, Marpally Mandal, Vikarabad District, Telangana. Upon due adjudication of the said complaint, this Authority, have issued orders dated:12.11.2025 holding that the Respondent are in breach of Sections 3 and 4 of the Real Estate (Regulation and Development) Act, 2016 (hereinafter

referred to as “the RE(R&D) Act, 2016”) by launching and marketing phase II of Peacock estates without securing registration from this Authority.

The findings of the Authority in orders dated:12.11.2025 in CC No.211/2025 and 212/2025 are as follows:-

Upon careful consideration of the pleadings, documents and material placed on record, it is observed that the Complainants booked plots in “Peacock Estates – Phase II” in August 2023 and paid substantial sums towards sale consideration. The Agreements of Sale executed on 06.09.2023 as well as the receipts issued clearly pertain to Phase II of the project, situated in Survey Nos. 224 (Part), 225 (Part) and 228 (Part) of Thummalapally Village, Marpally Mandal, Vikarabad District. The Draft Technical Layout (TLP No.26/2024/H) for the saidPhase II was approved by the Directorate of Town and Country Planning only on 14.02.2024, i.e., much after the booking by the Complainants.

This Authority had issued a show cause notice to the Respondent for violation of Sections 3 and 4 of the RE(R&D) Act in respect of Peacock Estates – Phase II. In reply, the Respondent in its counter sought to assert that “for the sake of bringing truth before this Hon’ble Tribunal, Phase II is also registered under RERA and DTCP layout is also approved”. However, the Respondent has not placed any material to substantiate this claim, and in the absence of such proof, the contention cannot be accepted. Further, upon verification of the records available with this Authority, no information regarding the registration of Phase II of the project is found. Likewise, the Respondent has alleged that the Agreement of Sale produced by the Complainants is fabricated, but has not filed any evidence to substantiate such an allegation. On the contrary, the document produced clearly mentions Plot Nos. 265 and 270 (Phase II) in Survey Nos. 224 Part, 225 Part and 228 Part as the subject-matter of the sale.

The Respondent further pleaded that the Agreement in fact pertains to Phase I of “Peacock Avenue” and that registration under RERA had been secured much prior thereto, with DTCP permission vide TLP No.9/2023/H dated 10.01.2023. This contention is clearly untenable. The

RERA registration relied upon by the Respondent, bearing No. P02100005992, pertains to Survey Nos. 227/P, 229/P and 230/P at Marpalle, Vikarabad, whereas the plots purchased by the Complainants are in Survey Nos. 224/P, 225/P and 228/P, forming part of a distinct phase of the project. Each phase of a project is required to be registered independently, and registration of Phase I cannot be pressed into service to justify bookings in Phase II. The Agreement of Sale and the receipts produced by the Complainants demonstrate that the subject plots were purchased in Phase II, which at the relevant time had neither DTCP approval nor RERA registration.

Significantly, Clause 2 of the Agreement of Sale records that “the vendor will hand over the possession of the above said property at the time of registration, however the registration would be done upon final approval of layout from DTCP or concerned authorities... It is agreed by both the parties that the placement of the plots is subject to DTCP final layout approval and east facing plots shall be allotted accordingly and there will not be any change in the measurement and extent of the plot.” This clause itself demonstrates that as on the date of execution of the Agreement, DTCP final approval had not been obtained. It also shows that the Respondent collected fifty percent of the consideration while making allotments subject to future approval, which is the very mischief that Section 3 of the Act seeks to prohibit. The attempt to describe the transaction as one pertaining to Phase I is thus contrary to the Agreement of Sale and the admitted survey numbers.

Section 3(1) of the RE(R&D) Act, 2016 provides that: “No promoter shall advertise, market, book, sell or offer for sale, or invite persons to purchase in any manner any plot, apartment or building, as the case may be, in any real estate project or part of it, in any planning area, without registering the real estate project with the Real Estate Regulatory Authority established under this Act.” Further, Section 3(2)(a) carves out a limited exemption from registration only in cases where the area of land

proposed to be developed does not exceed 500 square metres or the number of apartments proposed to be developed does not exceed eight.

In the present case, a perusal of the Draft Layout approval, vide Lr.Roc.No.3323/156/2024, dated 14.02.2024 pertaining to Survey Numbers 224/P, 225/P & 228/P of Thummalapally Gram Panchayat, Marpally Mandal, Vikarabad District, shows that the Phase II of the Project extends to an area of Ac.19.55 cents (equivalent to 94622 sq. yds.) with 290 plots, which is far in excess of the statutory threshold prescribed in Section 3(2)(a). The project therefore does not fall within the category of exempted projects and squarely attracts the requirement of compulsory registration under Section 3 of the RE(R&D) Act. The act of the Respondent in collecting fifty percent of the sale consideration from the Complainants at the stage of “pre-launch” prior to obtaining registration constitutes a direct contravention of Section 3. Further, Section 4 of the RE(R&D) Act, obligates the promoter to make an application for registration accompanied by approvals. The record clearly shows that no such registration application for Phase II was made before the bookings.

Accordingly, the Authority holds that the Respondent has committed breaches of Sections 3 and 4 of the RE(R&D) Act by launching and marketing Phase II of “Peacock Estates” without registration and by collecting booking amounts from the Complainants. The pleas raised in the counter are unsupported by evidence and are contrary to the record. Therefore, the Secretary of TG RERA is directed to initiate steps against the Respondent under Section 59 of the RE(R&D) Act, for violation of Sections 3 and 4 of the RE(R&D) Act.

Directions of the Authority:

In light of the foregoing observations and findings, and in exercise of the powers conferred under Sections 35, 37 and 38 of **the RE(R&D) Act, 2016**, this Authority hereby issues the following directions:

- a) For violation of the provisions of Sections 3 and 4 of the RE(R&D) Act, 2016, on account of non-registration of the project “Peacock Estate Phase II” situated in Survey

Nos. 224 (Part), 225 (Part) and 228 (Part) of Thummala Pally Village, Marpally Mandal, Vikarabad District, Telangana, the Respondent is held liable for imposition of penalty under Sections 59 and 60 of the RE(R&D) Act, 2016, respectively. Accordingly, the Respondent is directed to pay a penalty of Rs 11,94,547/- (Rupees Elven Lakhs Ninety Four Thousands five hundred and Forty seven only) within a period of thirty (30) days from the date of receipt of this Order, in favour of the TGRERA Fund, either by way of Demand Draft or through online transfer to Account No. 50100595798191, HDFC Bank, IFSC Code: HDFC0007036.

- b) The Respondent-Promoter shall not advertise, market, book, sell or offer for sale, or invite persons to purchase in any manner any plot, apartment, villa or building, as the case may be, in the project “*Peacock Estate Phase II*” or any part thereof, without first registering the said project with this Authority in accordance with the provisions of the RE(R&D) Act, 2016.
- c) The Respondent is directed to initiate steps for registration of the project “*Peacock Estate Phase II*” within ten (10) days from the date of this Order, after duly obtaining all requisite approvals, permissions and sanctions from the competent planning and development control authorities, and to place the same on record before this Authority.
- d) The Respondent is hereby informed that failure to comply with the directions issued herein shall attract further penal consequences under Section 63 of the RE(R&D) Act, 2016, without any further notice.

Sd/-

Sri. K. Srinivas Rao,
Hon’ble Member
TG RERA

Sd/-

Sri. Laxmi Narayana Jannu,
Hon’ble Member
TG RERA

Sd/-

Dr. N. Satyanarayana, IAS (Retd.),
Hon’ble Chairperson
TG RERA