

**TELANGANA REAL ESTATE APPELLATE TRIBUNAL: HYDERABAD**

Krishna Block, First Floor, Dr. MCR HRDI Campus, Road No.25, MP & MLA's colony, Jubilee Hills, Hyderabad-500 033.

CORAM: Hon'ble Sri Justice A. Santhosh Reddy, Chairperson.  
Hon'ble Sri P. Pradeep Kumar Reddy, Judicial Member.

**T.A.No. 64 of 2025**

Between:

1. N.L.Ravi Shankar, S/o Late N.K.Linga Swamy, aged 73 years, Retired Employee.
2. N.Chandrakala, W/o N.L.Ravi Shankar, Aged 59 years, House Wife.

Both are represented by their GPA holders

- 1.Mandala Ram Mohan, S/o Late Malliah, Aged 51 years, Flat No.502, Ayaan Homes, B Block, Bachupally village, Medchal-Malkajgiri District.
- 2.Narameta Chandra Reddy, S/o late Mallareddy, Aged 55 years, H.No.11-5-239/9, H.P. Road, Moosapet, Hyderabad - 18

...Appellants/Complainants

AND

1. The Registrar, TG Real Estate Regulatory Authority, DTCP Building, Ground Floor, 640, A.C. Guards, Masab Tank, Hyderabad.
2. The Secretary, TG Real Estate Regulatory Authority, DTCP Building, Ground Floor, 640, A.C. Guards, Masab Tank, Hyderabad.
3. M/s Sai Shakti Infrastructure Pvt. Ltd., #1-51/83&84/1F, Avalon Court, Botanical Garden Road, Kondapur, Hyderabad - 500084.

..... Respondents

Counsel for the Appellants : Mr.K.Fakruddin

Counsel for Respondent No.3 : Mr.D.Srinivas Rao

**ORDER::** (*Per Hon'ble Sri Justice A. Santhosh Reddy*)

This appeal arises from out of the Order, dated 24.10.2025, passed by the 1<sup>st</sup> respondent/Registrar, Telangana Real Estate Regulatory Authority, Hyderabad, in RC.No.D2/3393/2025/TG RERA, whereby the Complaint filed by the appellants/complainants was returned as not maintainable.

2. The case of the appellants/complainants, in brief, as contained in the complaint is that they are the absolute owners and legal heirs of late N.K.Lingaswamy, having acquired rights over a total extent of Ac.15.00 gts situated at Gopanpally village, Serilingampally Mandal, Ranga Reddy District, vide registered sale deeds bearing Document Nos.423/1966, 761/1965, 989/1966 and 989/1966. It is stated that despite the said registered conveyances, some fraudulent transactions were created by third parties without any subsisting right, title or interest over the property. It is further stated that the 3<sup>rd</sup> respondent/Sai Shakti Infrastructure Private Limited had illegally entered into their property and commenced construction of Villas in Sy.No.124/Ka (124/6), admeasuring Ac.3.00 guntas located at Gopanpally village, Serilingampally Mandal, without any right, title or interest. It is further

stated that the 3<sup>rd</sup> respondent had also obtained construction permission vide Building Permit No.1/C20/01152/2020, dated 29.01.2020, and RERA Registration No.P02400001745, dated 20.03.2020, based on the fabricated and fraudulent documents. Therefore, the appellants/complainants sought the following relief:

(i) To cancel Form 'C' registration certificate of project dated 20.03.2020 issued in the name of 'Sai Shakti Kingston' pertaining to Sy.No.124/6, located in Gopanpally village, Serilingampally Mandal, Rangareddy District.

3. 3<sup>rd</sup> respondent/promoter filed a Counter, *inter alia*, contending that the 3<sup>rd</sup> respondent entered into a Development Agreement-cum-GPA with possession vide Document No.6550/2012, dated 20.09.2012, with the landlords in respect of land admeasuring Ac.3.00 guntas in Sy.No.124/6 situated at Gopanpally village, Serilingampally Mandal, Ranga Reddy District by paying stamp duty of Rs.15,85,800/-. It is further contended that after due enquiry, the HMDA authorities accorded permission for conversion of agricultural land into residential zone and thereafter the GHMC accorded permission for construction of 28 Villas vide Permit No.1/C2001152/2020, dated 29.01.2020, and accordingly he had completed the entire construction of 28 Villas and Occupancy Rights

Certificate was also granted by the GHMC on 06.10.2025 for 20 Villas. It is further contended that the 3<sup>rd</sup> respondent along with landlords sold the Villas to the intending purchasers and they were in possession of their respective Villas. Further, the appellant No.1 represented by GPA holder Mandal Rammohan filed W.P.No.620 of 2026 against the 3<sup>rd</sup> respondent before the Hon'ble High Court of Telangana and the same was disposed of on 19.01.2026 with a direction to the 2<sup>nd</sup> respondent to complete the enquiry pursuant to the notice, dated 23.10.2025, by affording an opportunity of hearing to both the parties. It is further contended that the appellants are neither allottees nor parties to the project nor do they have any contractual relationship with the 3<sup>rd</sup> respondent. Therefore, it is prayed that the appeal filed by the complainants is liable to be dismissed, as not maintainable, with exemplary costs.

4. Appellants/complainants filed a reply affidavit to the counter filed by respondent No.3, *inter alia*, contending that the Development Agreement-cum-GPA bearing Document No.6550 of 2012, dated 20.09.2012, relied on by the 3<sup>rd</sup> respondent shows that the same was executed by one Ch.Varma and six others in favour of respondent No.3 and the said executants claim to have purchased the property from one S.N.Reddy, however, the said document is conspicuously silent as to how

the said S.N.Reddy derived his title. It is further contended that the said S.N.Reddy had no right, title or interest in the subject property, as the same had already been sold by the original pattadars in favour of late N.K.Lingaswamy, who was the father of appellant No.1, under registered sale deeds as early as in 1965. Therefore, the Development Agreement-cum-GPA, dated 20.09.2012, bearing Document No.6550/2012 does not convey any valid right, as the alleged vendors themselves lacked title. Therefore, it is prayed that the appeal filed by the complainants is liable to be allowed.

5. During the course of scrutiny of the complaint filed by the complainants, it was observed by the Registry of the Real Estate Regulatory Authority that the complainants are only a private individuals and in their individual capacity, they had filed the present complaint alleging that the 3<sup>rd</sup> respondent herein illegally entered into their subject property and commenced construction of Villas, without any right, title or interest and as such they cannot be said to be the 'aggrieved persons' to take recourse to Section 31(1) of the Real Estate (Regulation and Development) Act, 2016 (for short 'the Act') and accordingly rejected the complaint, as not maintainable, with liberty to work out their remedies before appropriate forum.

6. Feeling aggrieved by the aforesaid order, dated 24.10.2025, the present appeal has been preferred by the appellants/complainants.

7. We have heard the learned Counsel appearing for the appellants/complainants as well as learned Counsel appearing for respondent No.3 herein and have gone through the entire material placed on record along with written synopsis filed by the 3<sup>rd</sup> respondent.

8. The point that arises for consideration in this appeal is as under:

*“Whether the impugned order, dated 24.10.2025, passed by the Registry of the Telangana Real Estate Regulatory Authority, Hyderabad, is sustainable in law?”*

**POINT::**

09. The contention of the learned Counsel for the appellants/complainants is that the 3<sup>rd</sup> respondent/Sai Shakti Infrastructure Private Limited had illegally entered into their property admeasuring Ac.3.00 in Sy.No.124/Ka (124/6) located at Gopanapally village, Serilingampally Mandal, without any right, title or interest and commenced construction of Villas in the said property. His further contention is that originally the said property belonged to the father of the 1<sup>st</sup> appellant and father-in-law of the 2<sup>nd</sup> appellant, by name N.K.Linga Swamy, who purchased the same from one Manne Mallaiah under a registered sale deed bearing Document No.761/1965, dated 30.06.1965

and that after demise of his father, the 1<sup>st</sup> appellant succeeded the said property. Therefore, the appellants/complainants fall within the definition of 'aggrieved persons' under Section 31(1) of the Act since their legally owned property included in the project of the 3<sup>rd</sup> respondent.

10. It is the contention of the learned Counsel for the 3<sup>rd</sup> respondent that the appellants/complainants are neither allottees nor parties to the project nor do they have any contractual relationship with the 3<sup>rd</sup> respondent, as they have not booked any Flat in the project and, therefore, the complaint, under Section 31 (1) of the Act, as well as appeal under Section 44 (1) of the Act by the appellants/complainants are not maintainable. In support of his contention, he relied upon a decision of the Hon'ble Supreme Court in *Ayaaubkhan Noorkhan Pathan Vs. State of Maharashtra*<sup>1</sup>, wherein it was held that a person who is not directly affected in law cannot invoke statutory remedies.

11. The moot question which requires to be examined in the present appeal is whether the appellants/complainants can be said to be 'aggrieved persons' for filing complaint under Section 31 (1) of the Act and pursue their remedies under the said Act.

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<sup>1</sup> (2013) 4 SCC 465

12. For brevity and better understanding of the matter, it is relevant to reproduce Section 31(1) of the Act, which reads as under: -

“31. Filing of complaints with the Authority or the adjudicating officer: - (1) Any aggrieved person may file a complaint with the Authority or the adjudicating officer, as the case may be, for any violation or contravention of the provisions of this Act or the Rules and Regulations made thereunder against any promoter, allottee or real estate agent as the case may be.

Explanation :- For the purpose of this sub-section "person" shall include the association of allottees or any voluntary consumer association registered under any law for the time being in force. (2) The form, manner and fees for filing complaint under subsection (1) shall be such as may [Prescribed].

13. The Hon'ble High Court of Bombay *in Yogesh Keshav Bele Vs. Maharashtra Real Estate Regulatory Authority*<sup>2</sup>, held as under:

“On a harmonious and holistic reading of various above-referred provisions of the RERA Act, in my view, a person who is not at all connected with the project of the promoter since he had not booked any flat in the said project cannot be said to be an "aggrieved person" under Section 31(1) for filing complaint. The Explanation to Section 31(1) provides

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<sup>2</sup> 2023 SCC Online Bom 1849

that "person" shall include the association of allottees or any voluntary consumer association registered under any law for the time being in force. The "aggrieved person" under the RERA Act could be an allottee or real estate agent or promoter or association of allottees or any voluntary consumer association registered under any law for the time being in force. A person who is not at all connected or interested in the project but seeks to redress his private grievances as a person occupying the adjoining land next to the project cannot be said to have any locus to file a complaint and redress his private grievances by taking recourse to the RERA Act. The remedy of such a person lies somewhere else and not before the Regulatory Authority under the RERA Act. The said view is based on a holistic reading of preamble to the Act and the various provisions which have been analysed above, which clearly point out that the phrase "aggrieved person" in Section 31(1) of the Act would be an allottee, promoter or real estate agent or association of allottees or registered voluntary consumer association. The phrase "aggrieved person" has to be construed in the context and purpose of RERA Act and would encompass a person whose rights as an allottee, promoter or real estate agent or person governed by the Act is infringed. The phrase "aggrieved person" cannot be stretched on harmonious reading of all the provisions of the Act and objective of the Act to mean that any person who alleges violation of various laws by the developer can

approach the Regulatory Authority under Section 31(1) of the Act. In the instant case, admittedly the Appellant is not an "allottee" in the project being developed by respondent No. 3. The allegation made by the appellant are with respect to violation of various laws by the developer in the development of the project. The grievance appears to be made in the nature of private or public interest and not what is governed and regulated by the RERA Act."

14. *In Bar Council of Maharashtra Vs. M.V.Dabholkar*<sup>3</sup>, the Hon'ble Supreme Court has expounded the definition of an 'aggrieved person' in Paragraph Nos.27 and 28 of its judgment, which reads as under:

"The words 'person aggrieved' are found in several statutes. The meaning of the words 'person aggrieved' will have to be ascertained with reference to the purpose and the provisions of the statute. Sometimes, it is said that the words 'person aggrieved' correspond to the requirement of locus standi which arises in relation to judicial remedies."

"Where a right of appeal to courts against an administrative or judicial decision is created by statute, the right is invariably confined to a person aggrieved or a person who claims to be aggrieved. The meaning of the words 'a person aggrieved' may vary according to the context of the statute. One of the meanings is that a person

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<sup>3</sup> (1975) 2 SCC 702

will be held to be aggrieved by a decision if that decision is materially averse to him. Normally, one is required to establish that one has been denied or deprived of something to which one is legally entitled in order to make one 'a person aggrieved'. Again, a person is aggrieved if a legal burden is imposed on him. The meaning of the words 'a person aggrieved' is sometimes given a restricted meaning in certain statutes which provide remedies for the protection of private legal rights. The restricted meaning requires denial or deprivation of legal rights."

15. *In Ayaaubkhan Noorkan Pathan Vs. State of Maharashtra (1 supra)*, the Hon'ble Apex Court in paragraph No.9 held that "it is a settled legal proposition that a stranger cannot be permitted to meddle in any proceeding, unless he satisfies the authority/Court, that he falls within the category of aggrieved persons. Only a person who has suffered or suffers from legal injury can challenge the act/action/order, etc., in a Court of law."

16. The appellants/complainants have relied on a decision of the Odisha Real Estate Appellate Tribunal in OREAT Appeal No.17 of 2023, dated 28.11.2025,<sup>4</sup> wherein it was held as under:

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<sup>4</sup> (2025) ibclaw.in 533 REAT

“ A combined reading of Section 2(zg) and Section 31(1) of the Act, therefore, makes it clear that an individual who is not an allottee may also file a complaint under Section 31(1) of the Act, if he or she is aggrieved by any violation or contravention of the provisions of the Act, or the Rules and Regulations made thereunder against any promoter, allottee or real estate agent. So, the requirement under Section 31 (1) of the Act is that the respondent of a complaint must be either a promoter or an allottee or a real estate agent. This is, however, not the vice versa in the case of a complainant, who may be any one among Section 2(zg) of the Act apart from the registered association of allottees or the registered voluntary consumer association as per the explanation under Section 31 (1) of the Act. It is, therefore, to be concluded that, the contention of the respondent No.1 in the petition dated 11.10.2022 challenging the maintainability of the complaint case as well as in the written show cause to the appeal memo that an aggrieved person under Section 31 (1) of the Act is restricted only to mean and include allottees, association of allottees or any voluntary consumer association registered under any law for the time being in force, is misconceived. The appeal being an ‘individual’ under Section 2 (zg) (i) of the Act and alleging contravention of Section 7 (1) (C) of the Act is undoubtedly entitled to file the complaint case against the respondent No.1/promoter and others, because she is aggrieved by the grant of registration certificate in favour of

respondent No.1 in respect of the whole of the plot No.280 of Khata No.412/383, of which her purchased land under Plot No.280/2791 in Khata No.412/542 is a part.”

17. On a careful reading of the complaint and in view of the aforesaid decisions of the Hon'ble Apex Court, it is clear that the appellants/complainants are not 'allottees/purchasers' of any Flat/plot in the project being developed by respondent No.3. The grievance of the appellants/complainants is that the 3<sup>rd</sup> respondent/Sai Shakti Infrastructure Private Limited had illegally entered into their property admeasuring Ac.3.00 in Sy.No.124/Ka (124/6) located at Gopanapally village, Serilingampally Mandal, without any right, title or interest and commenced construction of Villas in the said property. On the other hand, the 3<sup>rd</sup> respondent claims to have entered into a Development Agreement-cum-GPA, vide Document No.6550/2012, dated 20.09.2012, with the landlords in respect of the said land. However, the appellants/complainants asserted that the said Development Agreement-cum-GPA, dated 20.09.2012, was executed by one Ch.Varma and six others in favour of respondent No.3 and the said executants claim to have purchased the property from one S.N.Reddy, who had no right, title or interest in the subject property, as the same had already been sold by the

original pattadars in favour of late N.K.Lingaswamy, who was the father of appellant No.1, under a registered sale deed in the year 1965.

18. In the present case, the appellants/complainants, are trying to agitate their claim of alleged title which is within the exclusive domain of competent Civil Court. Further, the complaint does not disclose violation of any provisions of the Act by the 3<sup>rd</sup> respondent. Further, the provisions of the Act make it clear that neither the Regulatory Authority nor the Appellate Tribunal can decide the title disputes and the competing ownership claims of the parties. Further, the Hon'ble Apex Court in *Shiv Kumar Chadha vs. MCD*<sup>5</sup> has unequivocally held that disputed questions of title cannot be decided by the statutory authorities. Therefore, we are of the considered view that the appellants cannot be said to be "aggrieved persons" to take recourse to Section 31(1) of the Act. Thus, from the above analysis, it is evident that the appellants having no concern whatsoever cannot be said to have any *locus standi* to knock the doors of the Act for redressal of their grievance.

19. A bare perusal of the judgment of Orissa Real Estate Appellate Tribunal in OREAT Appeal No.17 of 2023, relied upon by the appellants/complainants, makes it clear that the complainant therein

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<sup>5</sup> (1993) 3 SCC 161

possessed a right, title and interest in respect of the tract of land for which the project registration has been erroneously granted. Therefore, the complainant in that matter necessarily be an aggrieved person having suffered injury on account of such registration, albeit not being a consumer or an allottee. In the present case, there is a title dispute with regard to the subject property between the appellants/complainants and respondent No.3 and as such the said judgment renders no assistance to the appellants/complainants herein.

20. Coming to the scope of RERA jurisdiction, the Act regulates the contractual obligations of the promoter/developer and the same is not a full-fledged Civil Court since RERA cannot conduct a detailed trial like adjudication involving the allegation of fabrication of documents and title disputes, as these complex issues require a complete evidence to be adduced by the parties through the witnesses and subject to cross-examination and the same requires a full-fledged Civil Court trial procedure. Apart from this, only the Civil Courts or Criminal Courts are competent to declare that a particular document is forged or fabricated.

21. There is no explicit provision under the Act, which empowers neither the Regulatory Authority nor this Tribunal to try and entertain the disputes which arise out of the sale deed bearing Document No.761/1965,

dated 30.06.1965, relied on by the appellants/complainants and also the Development Agreement-cum-GPA bearing Document No.6550/2012, dated 20.09.2012, relied on by the 3<sup>rd</sup> respondent. These disputed questions of facts cannot be adjudicated by the Regulatory Authority or this Tribunal. Further, the manner in which the 3<sup>rd</sup> respondent has obtained sanctioned plans and necessary approvals/permissions from the GHMC for construction of the project also cannot be gone into by the Regulatory Authority or this Tribunal due to lack of jurisdiction under the provisions of the Act.

22. Be that as it may, the appellants/complainants mainly seek a direction to respondents 1 and 2 to initiate the proceedings under Section 7 of the Act for revocation of the registration of the project granted to the 3<sup>rd</sup> respondent on the ground that he fraudulently registered the project under Section 4 of the Act despite not having valid title over the project land. From a perusal of the record, it is evident that since the 3<sup>rd</sup> respondent has duly complied with the relevant provisions of the Act and Rules and that since no complaint has been received from any allottee alleging that the 3<sup>rd</sup> respondent/promoter has not complied with the provisions of the Act and Rules and also regulations made thereunder, the learned Regulatory Authority has rightly granted registration

certificate of project 'Saishakti Kingston' to respondent No.3 under Section 5 of the Act in Sy.No.124/6, located at Gopanpally, Serilingampally, Ranga Reddy District.

23. In view of the aforementioned reasons, we do not find any merit in the present appeal and accordingly the impugned order, dated 24.10.2025, passed by the Real Estate Regulatory Authority in RC.No.D2/3393/2025/TG RERA, is sustainable in law.

24. In the result, the appeal is dismissed reserving liberty to the appellants to pursue their remedies before the Civil Court of competent jurisdiction, if they so desire. There shall be no order as to costs.

Pending miscellaneous applications, if any, shall stand closed.

Registry is hereby directed to transmit a copy of this order to the parties and the learned Regulatory Authority as per section 44 (4) of the Act.

Pronounced on this the 8<sup>th</sup> day of June, 2026.

Sd/-

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A. SANTHOSH REDDY, J  
(CHAIRPERSON)

Sd/-

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P.PRADEEP KUMAR REDDY  
(JUDICIAL MEMBER)