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

**SUO MOTU CASE NO. 858/2025**
**Date: 10th November 2026**

**Quorum: Sri K. Srinivasa Rao, Hon'ble Member**

M/s Vasavi GP Infra
Plot No. 55, HUDA Enclave,
N.C.B Towers Road No. 70, Jubilee Hills, Hyderabad.

***…PROMOTER/ RESPONDENT***

**ORDER**

The present Suo Motu proceedings have been initiated by the Telangana Real Estate Regulatory Authority (hereinafter referred to as "the Authority"), in exercise of the powers conferred under Section 35(1) of the Real Estate (Regulation and Development) Act, 2016 (hereinafter referred to as the "RE(R&D) Act, 2016"), pursuant to the representation dated 04.04.2025 submitted by Sri P. Ram Gopal Rao against M/s. Vasavi GP Infra, in respect of the project titled "Vasavi GP Trends".

2. It has come to the notice of this Authority, through the aforesaid representation, that M/s. Vasavi GP Infra had allegedly obtained project permissions by suppressing material facts relating to pending civil proceedings and attachment orders passed by the Hon'ble Principal Special Judge for SPE and ACB Cases, Hyderabad, in Crl.M.P. No. 189 of 2012 in C.C. No. 14 of 2012. The petitioner alleged that the land situated in Survey No. 88/1 of Nanakramguda Village, including the extent of Ac. 1.27 Guntas claimed to have been purchased by the Respondent, was covered by the attachment orders of the ACB Court and that the said attachment continued to remain in force.

3. Upon consideration of the representation and the material placed on record, including the particulars of pending civil proceedings and the attachment orders relied upon by the petitioner, this Authority initiated the present Suo Motu proceedings under Section 35(1) of the RE(R&D) Act, 2016, to examine the allegations relating to the alleged suppression of material facts concerning pending litigation and attachment proceedings in respect of the subject property. The Respondent was called upon to explain its stand in relation to the allegations raised in the representation.

4. The Respondent, M/s. Vasavi GP Infra, represented by its Managing Partner, Sri Y. Vijay Kumar, filed preliminary objections dated 10.09.2025, challenging the maintainability

of the present proceedings, without prejudice to its right to file a detailed counter/written statement on the merits of the matter. The Respondent contended that the project "Vasavi GP Trends" had obtained GHMC building permission vide proceedings dated 27.12.2016, much prior to the commencement of the RE(R&D) Act, 2016, and therefore the project does not fall within the purview of the said Act. The Respondent relied upon the FAQs published on the website of this Authority and contended that projects for which building permissions were approved prior to 01.01.2017 are excluded from the purview of the Act.

5. The Respondent submitted that, in terms of Rule 2(1)(j) of the Telangana Real Estate (Regulation and Development) Rules, 2017, the subject project does not fall within the definition of an "Ongoing Project", as the building permission was obtained on 27.12.2016, prior to 01.01.2017. The Respondent also submitted that the construction of the subject project had been completed and that the Occupancy Certificate was issued by the competent authority on 08.06.2022. On the basis of the aforesaid submissions, the Respondent submitted that the provisions of the RE(R&D) Act, 2016, are not applicable to the subject project and that this Authority lacks jurisdiction to entertain the present proceedings.

6. The Respondent submitted preliminary objections with regard to the locus standi of the complainant and submitted that the complainant is neither an allottee nor a purchaser of any unit in the subject project and, therefore, does not fall within the definition of an "aggrieved person" under Section 31 of the RE(R&D) Act, 2016. The Respondent contended that the complainant had earlier raised similar allegations before GHMC, which were dismissed vide order dated 08.04.2022, and that the challenge to the said order in W.P. No. 35753 of 2022 was dismissed by the Hon'ble High Court vide order dated 16.09.2022, with costs of ₹5,000/-. The Respondent also referred to the dismissal of W.P. No. 14898 of 2021 as infructuous and the closure of Contempt Case No. 1607 of 2021, and alleged that the complainant had approached this Authority without disclosing the previous proceedings and with unclean hands. Accordingly, the Respondent sought dismissal of the present proceedings on the grounds of lack of jurisdiction and absence of locus standi.

7. The matter was taken up for hearing on multiple occasions, during which the Respondent, through its learned counsel, reiterated the preliminary objections and submissions made in its written objections. The Respondent accordingly sought dismissal of the present proceedings as not maintainable under the RE(R&D) Act, 2016. The matter was finally heard on 22.09.2026, when the arguments were concluded, and the matter was reserved for orders.

***Observations of the Authority:***

8. This Authority, upon examination of the material available on record, including the representation dated 04.04.2025 submitted by Sri P. Ram Gopal Rao, the preliminary objections filed by the Respondent and the submissions made during the course of hearings, observes that the present proceedings have been initiated Suo motu in exercise of the powers conferred under Section 35(1) of the RE(R&D) Act, 2016. The proceedings are not being adjudicated as a complaint instituted by an allottee under Section 31 of the Act, but as an independent inquiry by this Authority into the matters brought to its notice. Therefore, the objection raised by the Respondent regarding the complainant's locus standi, on the ground that he is neither an allottee nor a purchaser in the project, does not affect the Authority's jurisdiction to examine the matter in exercise of its Suo motu powers. The Respondent's contention on this ground is, therefore, not sustainable.

9. This Authority observes that the principal issue requiring examination in the present proceedings is the applicability of the registration requirement under Section 3(1) of the RE(R&D) Act, 2016, to the project “Vasavi GP Trends”. The material on record indicates that the building permission for the project was granted by GHMC on 27.12.2016, whereas the Occupancy Certificate was issued on 08.06.2022. Consequently, as on the commencement of the Act, i.e., 01.05.2017, the project had not obtained an Occupancy Certificate. Section 3(1) of the Act requires registration of ongoing projects that had not obtained an Occupancy Certificate or Completion Certificate as on the commencement of the Act.

10. However, this Authority further observes that the erstwhile Rule 2(1)(j) of the Telangana Real Estate (Regulation and Development) Rules, 2017, excluded projects in respect of which building permissions had been approved before 01.01.2017. The FAQ published on the official website of TG RERA also indicated that projects having building permissions approved on or after 01.01.2017 would fall within the purview of the Act, subject to the applicable exemptions. In view of the aforesaid Rule and the official clarification then available, an ambiguity existed regarding the applicability of the registration requirement to projects which had obtained building permission before 01.01.2017 but had not received an Occupancy Certificate as on 01.05.2017. The Respondent's contention that the project was not required to be registered has to be considered in the context of this position prevailing at the relevant time.

11. This Authority observes that the aforesaid position was subsequently clarified through TG RERA Circular No. 607/2025/TGRERA dated 04.03.2025, pursuant to the amendment to

Rule 2(1)(j) notified vide G.O.Ms. No. 60, MA&UD Department, dated 04.03.2025. The amended provision clarifies that the applicability of the registration requirement is to be determined with reference to whether an Occupancy Certificate or Completion Certificate had been issued as on 01.05.2017, irrespective of the date of grant of building permission. Thus, the subsequent amendment clarified the legal position governing ongoing projects. In the present case, however, the building permission had been obtained on 27.12.2016, when the erstwhile Rule and the FAQ published by this Authority indicated a different position. Having regard to this specific ambiguity and the fact that the project subsequently received its Occupancy Certificate on 08.06.2022, this Authority considers it appropriate not to proceed against the Respondent by imposing a penalty in the present proceedings.

12. This Authority makes it clear that the present Suo motu proceedings are not intended to determine the title to the subject property, the subsistence or effect of the alleged attachment orders, or the merits of the civil and criminal proceedings referred to by the parties. Those matters fall within the domain of the competent courts. No finding is, therefore, being recorded by this Authority on the merits of the allegations of suppression or on the rights and claims of the parties in respect of the subject property. The present order is confined to the issue examined under the RE(R&D) Act, 2016, and the decision arrived at herein shall not be construed as an adjudication of the aforesaid disputes.

13. In view of the foregoing observations, this Authority, having regard to the ambiguity arising from the erstwhile Rule 2(1)(j), the FAQ published by TG RERA at the relevant time, the subsequent clarification through G.O.Ms. No. 60 dated 04.03.2025 and TG RERA Circular No. 607/2025/TGRERA dated 04.03.2025, and the fact that the project subsequently obtained an Occupancy Certificate on 08.06.2022, finds that the circumstances of the present case do not warrant imposition of penalty upon the Respondent.

14. Accordingly, the Suo motu case is closed.

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