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

SUO MOTU CASE NO. 46/2026
Date: 10th November 2026

Quorum: **Sri. K.S. Sreenivasa Raju, I.A.S., (Retd.), Hon'ble Chairman**
Sri Laxmi Narayana Jannu, Hon'ble Member
Sri K. Srinivasa Rao, Hon'ble Member

M/s. Makuta Developers
Represented by Sri K. Janardhan,
Plot No. 268, Telecom Nagar, Gachibowli,
Hyderabad, Telangana.

…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"), based on the representation dated 13.05.2026 submitted by Sri Diddiga Satyanarayana alleging suppression of material facts, misrepresentation of title and wrongful procurement of project registration by M/s. Makuta Developers in respect of the project titled "My Space II" bearing Registration No. P02200005071.

2. The petitioner submitted before this Authority that the Respondent obtained registration of the project "My Space II" without disclosing the pending disputes relating to the project land situated at Bachupally Village and Mandal, Medchal-Malkajgiri District. The petitioner submitted that Agreement of Sale dated 29.03.2000 and the subsequent institution of O.S. No. 77 of 2025 before the Hon'ble II Additional District Judge, Medchal-Malkajgiri District, at Medchal, seeking specific performance in respect of the schedule properties. It was also submitted that the project land was subject to disputes concerning the rights and interests claimed under the aforesaid Agreement of Sale and that the Respondent had proceeded with the development of the project without disclosing the relevant facts relating to the title and pending litigation. and appropriate action under the provisions of the RE(R&D) Act, 2016.

3. In view of the allegations raised in the representation and the documents enclosed therewith, this Authority deemed it appropriate to examine whether the Respondent had complied with the disclosure requirements under Section 4 of the RE(R&D) Act, 2016,

particularly with regard to the alleged suppression of material facts concerning litigation relating to the project land. Accordingly, Show Cause Notice No. D6/41/2026 dated 04.07.2026 was issued to the Respondent calling upon it to submit its explanation in respect of the allegations concerning the project "My Space II".

4. In response to the Show Cause Notice, the Respondent, represented by Sri K. Janardhan, Authorised Signatory/Managing Partner of M/s. Makuta Developers filed its written explanation dated 13.07.2026, denying the allegations of suppression, misrepresentation and violation of the provisions of the RE(R&D) Act, 2016. The Respondent submitted that the project was registered under Registration No. P02200005071 on 13.09.2022, whereas O.S. No. 77 of 2025 was instituted only in the year 2025 before the Hon'ble II Additional District Judge, Medchal-Malkajgiri District, at Medchal, seeking specific performance of the Agreement of Sale dated 29.03.2000.

5. The Respondent submitted that, as on the date of submission of the application for registration and grant of project registration in September 2022, O.S. No. 77 of 2025 was not in existence and, therefore, there was neither any occasion nor any legal obligation to disclose the said litigation at the time of obtaining registration. It was contended that the subsequent institution of the civil suit could not retrospectively render the disclosures made at the time of registration false, misleading or suppressive.

6. The Respondent also submitted that building permission for the subject project was obtained under File No. 869-P/MC/NP/2022, vide Permit No. G1/BPO/26/NMC/2022-2023 dated 28.09.2022, from the competent authority. It was contended that the project registration and the relevant permissions had been obtained prior to the institution of O.S. No. 77 of 2025 and that the essential ingredients necessary to establish suppression or misrepresentation at the time of registration were absent. The Respondent accordingly disputed the applicability of Section 4(2)(l)(D) and the invocation of Section 61 of the RE(R&D) Act, 2016, on the ground that no statutory contravention had been committed.

7. The Respondent further submitted that the complainant had instituted O.S. No. 77 of 2025 by raising false and untenable claims and that the said suit was being contested on its own merits before the competent Civil Court. It was contended that the petitioner was attempting to use the proceedings before this Authority to exert undue pressure upon the Respondent in connection with a private civil dispute and that the allegations concerning the title and ownership of the subject property were matters for adjudication by the competent Civil Court.

8. In view of the submissions made by the Respondent, this Authority considered it appropriate to afford an opportunity of hearing to the Respondent and accordingly, the matter was taken up for hearing on 01.10.2026. On the said date, the Respondent was present and reiterated the submissions made in its written explanation dated 13.07.2026. Upon consideration of the submissions and the project records, the Authority directed the Respondent to upload the case details on the official website of the Authority.

Observations of the Authority:

9. This Authority has examined the complaint submitted by Sri Diddiga Satyanarayana, the documents enclosed therewith, and the written explanation dated 13.07.2026 filed by the Respondent M/s. Makuta Developers, the submissions made during the hearing conducted on 01.10.2026 and the records relating to the registered project "My Space II".

10. It is an undisputed fact that the project "My Space II" was registered under Registration No. P02200005071 on 13.09.2022, whereas O.S. No. 77 of 2025 was instituted subsequently before the Hon'ble II Additional District Judge, Medchal-Malkajgiri District, at Medchal, seeking specific performance in respect of the schedule properties. Therefore, the subsequent institution of the said suit cannot, by itself, establish suppression of pending litigation at the time of obtaining registration. The merits of the rival claims concerning title and specific performance fall within the jurisdiction of the competent Civil Court.

11. However, the statutory obligations of a promoter under the RE(R&D) Act, 2016, are continuing in nature and are not confined to the disclosures made at the time of initial registration. The institution of subsequent litigation or any material development in pending proceedings concerning the project land constitutes information relevant to the legal status of the project and the interests of existing and prospective allottees. Such information must be appropriately disclosed and updated on the official portal.

12. This Authority observes that transparency requires more than merely obtaining registration and furnishing particulars at the initial stage. Allottees investing their hard-earned money are entitled to access material information concerning litigation relating to the project land. Filing an explanation before this Authority cannot be treated as a substitute for uploading the relevant particulars under the prescribed project information heading.

13. Accordingly, the Respondent shall upload complete particulars of O.S. No. 77 of 2025 within 30 days from the date of this Order under the heading "Litigations related to the project?" on the official TG RERA portal. Failure to comply with the aforesaid direction within

the above stipulated period shall render the Respondent liable for appropriate penal proceedings under the provisions of the RE(R&D) Act, 2016.

14. This Authority further cautions all promoters of registered real estate projects to disclose material litigation concerning their respective project lands and to update the particulars whenever any subsequent proceedings or material developments arise. Failure to comply with these disclosure obligations may invite appropriate action under the applicable provisions of the RE(R&D) Act, 2016, in accordance with the law.

15. In view of the foregoing, without imposing any penalty in the present proceedings, the Respondent is directed to comply with the above disclosure requirements in the interest of transparency and protection of allottees. The Respondent and all other promoters are warned to ensure strict compliance with their statutory disclosure obligations. Accordingly, the present Suo Motu proceedings are disposed of.

Sd/-	**Sd/-**	**Sd/-**
Sri K. Srinivasa Rao,	**Sri Laxminarayana Jannu,**	**Sri. K.S. Sreenivasa Raju, I.A.S., (Retd.),**
Hon'ble Member,	**Hon’ble Member,**	**Hon'ble Chairperson,**
TG RERA	**TG RERA**	**TG RERA**

TG RERA
TELANGANA REAL ESTATE REGULATORY AUTHORITY