

**BEFORE THE TELANGANA STATE REAL ESTATE REGULATORY  
AUTHORITY, HYDERABAD**

4<sup>th</sup> THURSDAY THE 9<sup>th</sup> DAY OF JANUARY TWO THOUSAND TWENTY FOUR

**Suo-moto Complaint No.07/08/TSRERA/2023**

Suo - moto registered

..... Complainant

And

D. N. S. Infra  
Rep. by its Managing Partner  
Sri. Nagendra Reddy T. C.

..... Respondent

**Quorum:** Dr.N.Satyanarayana, Hon'ble Chairperson  
Sri.Laxminarayana Jannu, Hon'ble Member  
Sri.K.Srinivasa Rao, Hon'ble Member

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This case has come up for hearing on 4.01.2024 and after considering the issue the Authority passed the following order.

**ORDER**

This is a case of violation of provisions under section 3(1) of the Telangana State Real Estate (Regulation & Development) Act, 2016 (herein after called 'the Act') by D.N.S.Infra, Rep. by its Managing Partner Sri.Nagendra Reddy T.C.

2. It has come to the notice of this Authority that the Promoter / Developer viz. D.N.S.Infra, Rep. by its Managing Partner Sri.T.C.Nagendra Reddy has advertised, marketed and invited the persons to purchase the flats in the project namely " DNS ICONIA" located at Suchitra Circle, Qutbullapur Road,

Near Kompally, Medchal-Malkajgiri dist. without registration of the project with TS RERA.

3. On noticing the violation by the Promoter, D.N.S.Infra, Rep. by its Managing Partner Sri.T.C.Nagendra Reddy was issued a show cause notice dated 16.08.2023 to submit explanation as to why the Authority shall not levy penalty under section 59 of the RE(R&D) Act 2016 for violation of Section 3(1) of the Act. But since the promoter did not submit any reply in support of his claim another notice dated 28.10.2023 was issued calling explanation within (10) days from the date of receipt of the notice.

4. In response to the notice dated 28.10.2023 the Managing Partner, Sri. T. Nagendra Reddy and another partner have submitted reply petition on 07.11.2023 contending that they took all necessary permissions and approvals in the name of land owner and started construction work, but as the land owner was not available in India from 10.05.2023 to 12.10.2023, Development Agreement cum General Power of Attorney could not be executed and however on return back to India the same is executed on 02.11.2023 with Regd. Doc.No.29538/2023. Further he contended that till date they have not done any agreement of sale and sale deeds to any customer and that erected a small size board inside the site premises and printed some pamphlets for their company internal purpose, but not made any marketing promotions.

5. The explanation of the promoter has been examined with reference to material available on record and observed that the averments of the Promoter that no marketing promotions were made is incorrect. In fact the brochures of the project are circulated in the market offering sale of flats way back from August 2023, without registration of the project with TG RERA in contravention of sub section (1) of Section 3 of the RE (R&D) Act. Hence the promoter is liable for penalty.

6. Accordingly, the D.N.S. Infra, Rep. by its Managing Partner Sri. T. C. Nagendra Reddy is imposed a penalty of **Rs.6,02,072/-** (Rupees six lakhs two thousands and seventy two only) and directed to pay the same in favour of TS RERA funds through Demand Draft or online payment to A/c. No. 50100595798191, HDFC Bank, IFSC code: HDFC0007036 under section 59(1) of RE(R&D) Act, 2016 within (15) days from the date of receipt of this order. Failing which necessary steps will be taken under section 59(2) of the Act.

6. This order lies to appeal before the T.S. Real Estate Appellate Tribunal. The Govt. Vide G.O.Ms.No.8, MA&UD (Plg.III(1)), Dept., dated:11.01.2017, designated the Telangana State Value added Tax Appellate Tribunal as TS Real Estate Appellate Tribunal to manage the affairs under RE (R&D) Act till the regular Tribunal is established.

Dated this the 4<sup>th</sup> day of January, 2024.

Sd/-

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Sri.Laxminarayana Jannu, Hon'ble Member

Sd/-

.....  
Sri.K.Srinivasa Rao, Hon'ble Member

Sd/-

.....  
Dr.N.Satyanarayana, Hon'ble Chairman