

BEFORE TELANGANA REAL ESTATE REGULATORY AUTHORITY

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

Complaint No. 94 of 2024

Dated: 19th July, 2025

Quorum: **Dr. N. Satyanarayana, IAS (Retd.), Hon'ble Chairperson**
Sri K. Srinivasa Rao, Hon'ble Member
Sri LaxmiNarayanaJannu, Hon'ble Member

M. Nageshwara Rao

*R/o- H No. 6-53/1, Dandamudi, Chilakahuripet(Mandal)
Manukondavaripalem(post), Guntur
Andhra Pradesh-522616*

Address for service of all notices:

*Tulasi Jasmine, D. No. 16-2-Silpa/119&120, Silpa Avenue Colony
Hafeezpet, Kukatpally Mandal, under GHMC Kukatpally Circle
Medchal-Malkajirii District, Telangana-500085*

...Complainant

M/S Sark Fortune Projects

*6th flor, plot no. 04, above Cafe Coffee Day, Botanical Garden Road
Masjid Banda, Kondapur Village,
Serilingampally, Rangareddy district
Hyderabad, Telangana 500084*

...Respondent

The present matter filed by the Complainant herein came up for hearing on 26.06.2025, before this Authority, none appeared for complainant and the Respondent, further this Authority passes the following **ORDER**:

2. The present Complaint has been filed under Section 31 of the Real Estate (Regulation and Development) Act, 2016 (hereinafter referred to as the "RE(R&D) Act" read with Rule 34(1) of the Telangana Real Estate (Regulation and Development) Rules, 2017 (hereinafter referred to as the "Rules") seeking directions from this Authority to take action against the Respondents.

3. The matter was listed for hearing on 20.02.2025, on that date the Respondent appeared and filed a counter to the Complaint, accompanied by proof of service evidencing that a copy thereof had been duly served upon the Complainant. However, the Complainant remained absent. In view thereof, the Authority directed that notice be issued to the Complainant, calling upon him to file a rejoinder to the counter filed by the Respondent.

4. Thereafter, the matter was listed on three occasions—26.03.2025, 29.04.2025, and 26.06.2025. On all these dates, neither the Complainant nor the Respondent appeared before the Authority. It is noted that, on each occasion, the notice issued to the Respondent was shown to have been duly delivered as per postal records, while the notices issued to the Complainant were consistently returned unserved.

6. Upon careful consideration of the facts and the repeated absence of the parties, this Authority is of the view that sufficient opportunities have been provided to both the parties to appear and prosecute the case. The Complainant's consistent failure to maintain communication and appear for hearings demonstrates a lack of interest in pursuing the complaint.

7. It is, however, pertinent to place on record that a Show Cause Notice dated 27.07.2024 was issued to the Respondent by this Authority for the alleged contraventions of Sections 3 and 4 of the Real Estate (Regulation and Development) Act, 2016, in relation to the said project. The Respondent has submitted his reply to the said notice, and the same stands duly taken on record in the present proceedings.

8. Notwithstanding the dismissal of the present complaint on account of non-prosecution by the parties, this Authority is of the considered view that the allegations pertaining to statutory violations under Sections 3 and 4 of the Real Estate (Regulation and Development) Act, 2016, involve issues of wider regulatory significance and warrant independent adjudication. Accordingly, the Authority directs that the said matter shall be proceeded with separately in accordance with the due process of law. The Secretary, Telangana RERA, is hereby directed to initiate appropriate and expeditious action in respect of the pending Show Cause Notice, in accordance with law.

9. In light of these facts, this Authority deems it appropriate to dismiss the complaint for non-prosecution.

Sd/-

Sri K. Srinivasa 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