

BEFORE TELANGANA REAL ESTATE REGULATORY AUTHORITY

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

Complaint No. 305/2024/TGRERA

Date: 29th October, 2025

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

Kotha Santhosha,
W/o. Kotha Narsimham H.No.1-27,
Yellagiri Village, Choutuppal Mandal,
Nalgonda Dist.Telangana -508252.

...Complainants

Versus

1. M/s. M.M Developers Rep By its Partners

i. Mr. Gopal Yadav

(R/o Flat No.403 & 503, Plot No.26& 27, Satyasai Heights, Shivaganga Colony,
L.B.Nagar, Hyderabad-500074)

ii. Mr. B Ramesh

(R/o H.No.3-11-482/1, Satyasai Heights, Shivaganga Colony, L.B.Nagar, Hyderabad-
500074)

2. Mr. Merugumalla Kumaraswamy

(R/o H.No.3-14-116/131/103, Judges Colony, Mansoorabad, Saroor Nagar, Hyderabad-
500035)

3. Mrs. B Swathi

(R/o H.No.8-12-97/V2/87, Venkateswara Colony Phase -2, Hastinapuram, Karmang hat,
Hyderabad-500079)

4. Mr. Sunkoju Akash

(R/o H.No.6-3-2233/C/727, NGOs Colony, Vanasthalipuram, Hyderabad-500070)

5. M/s. Vishwas Infra Developers Rep by its Partners

i. Mr. Boppidi Anil Kumar

(R/o Plot No. 183, Flat No.501, Aditya residency, Agriculture Colony, Vanasthalipuram, Hyderabad-500070)

ii. Mr. Sunkoju Ramesh

(R/o H.No.6-3-2233/C/727, NGOs Colony, Vanasthalipuram, Hyderabad-500070)

iii. Mr. Garadi Ramanji

(R/o Plot No.29, Sai ram Nagar Colony, Champapet, Vaishali Nagar, Saroornagar, Hyderabad -500035)

iv. Mr. Tekumalla Chenna Keshava

(R/o H.No.18-2-60/83/a. Falaknuma, Sai baba Nagar, Charminar, Hyderabad-500002)

6. Mr. Putta Thirupathi Reddy

(R/o H.No.1-5-1165, Flat No.104, Revathi Towers Maruthi Nagar road, Kothapet, Hyderabad-500035)

7. Mr. Garadi Ramanji

(R/o Plot No.29, Sai ram Nagar Colony, Champapet, Vaishali Nagar, Saroornagar, Hyderabad -500035)

8. Mr. G. Parushram Reddy

(R/o Plot No.22, Vijayadurga Colony, Near Jillelaguda, Karmanghat, Saroornagar, Hyderabad-500035)

9. Agreement of Sale Cum General Power of Attorney Holders

i. Mr. Sunkoju Ramesh

(R/o H.No.6-3-2233/C/727, NGOs Colony, Vanasthalipuram, Hyderabad-500070)

ii. Mr. Boppidi Anil Kumar

(R/o Plot No. 183, Flat No.501, Aditya residency, Agriculture Colony, Vanasthalipuram, Hyderabad-500070)

iii. Mr. Garadi Ramanji

(R/o Plot No.29, Sai ram Nagar Colony, Champapet, Vaishali Nagar, Saroornagar, Hyderabad -500035)

iv. Mr. Putta Thirupathi Reddy

(R/o H.No.18-2-60/83/a. Falaknuma, Sai baba Nagar, Charminar, Hyderabad-500002)

10.M/s. Sri Infra Developers

(R/o Plot No.30, Flat No. 101, 1st Floor, JK's Chandra Kalavathi Nivasam, Road No. 1, Vijayapuri Colony, SRK Puram, Kothapet, Hyderabad -500 035)

...Respondents

The present matter, filed by the Complainant as mentioned above, came up for hearing on 11.06.2025 before this Authority. The Respondents were absent, while the Complainant was present. Upon hearing the submissions of all the parties, this Authority proceeds to pass the following **ORDER:**

2. The present Complaint has been filed by the Complainant under Section 31 of the Real Estate (Regulation & Development) Act, 2016 (hereinafter referred to as the “Act”) read with Rule 34(1) of the Telangana Real Estate (Regulation and Development) Rules, 2017 (hereinafter referred to as the “Rules”) seeking appropriate relief(s) against the Respondent.

A. Brief facts of the Case

3. It was submitted that the Complainant, Smt. Kotha Santhosha, had purchased an open plot in the project "Sai Chaitanya Brundavanam Enclave," a venture stated to be approved by the HMDA vide L.P. No. 000231/LO/Plg/HMDA/2021 dated 15.06.2021, situated at Abdullapurmet and other villages, Rangareddy District.

4. It was stated that the said project was being developed by a group of individual promoters (hereinafter referred to as “the Respondents”), namely M/s. M.M. Developers (represented by its partners, Mr. Gopal Yadav and Mr. B. Ramesh), Mr. Merugumalla Kumaraswamy, Mrs. B. Swathi, Mr. Sunkoju Akash, M/s. Vishwas Infra Developers (represented by its partners, Mr. Boppidi Anil Kumar, Mr. Sunkoju Ramesh, Mr. Garadi Ramanji, and Mr. Tekumalla Chenna Keshava), Mr. Putta Thirupathi Reddy, Mr. Garadi Ramanji, and Mr. G. Parushram Reddy. It was further stated that the said promoters were represented by their Agreement of Sale Cum General Power of Attorney Holders, namely Mr. Sunkoju Ramesh, Mr. Boppidi Anil Kumar, Mr. Garadi Ramanji, and Mr. Putta Thirupathi

Reddy, vide Document No. 6861/2021, registered at the Sub-Registrar Office, Abdullapurmet, on 06.09.2021.

5. The Complainant submitted that the transaction was initiated by the real estate agent, Mr. M. Jaya Sudheer Reddy. It was alleged that at the time of sale, both the agent and the Respondent-promoters represented to the Complainant that the project was approved by both the HMDA and the Telangana Real Estate Regulatory Authority (RERA). They further promised that all development works would be executed as per HMDA norms and that the project would be handed over within a period of one year.

6. It was contended that, contrary to the said promises, the development works at the project site have not been completed as of the date of filing the complaint, and no development activity is currently taking place. The Complainant stated that multiple complaints were made regarding the pending works, but neither the agent nor any of the listed promoters had responded.

7. The Complainant alleged that upon further inquiry, it was discovered that the project is not registered with RERA, and that the promoters and the agent had misrepresented this fact with false information at the time of purchase.

8. It was further submitted that the time period for the completion of works as per the HMDA proceedings had expired as of June 2023, and the Respondents had neither completed the development works nor applied for any extension of time. The Complainant therefore requested the Authority to take appropriate action against the Respondents for the false representation regarding RERA registration and for the failure to complete the promised development works.

B. Reliefs Sought

9. In view of the facts mentioned above, the complainant sought for the following reliefs:

- 1. Instruct the Promoters to get the RERA registration*
- 2. Instruct the promoters to develop the development works at the earliest.*

C. Counter filed by the Respondent no. 1

10. It was submitted that the Answering Respondents denied all the averments and allegations made by the Complainant, who was put to strict proof of the same. It was prayed that no averments be deemed to be admitted for want of specific denial.

11. At the outset, it was submitted that the complaint was not maintainable in law or on facts. It was contended that the Complainant had failed to make out any tenable ground in law to maintain the complaint, which was liable to be dismissed in limine as the grounds raised were contrary to the well-settled principles of law under the RERA Act.

12. It was respectfully submitted that the Respondent, M.M Developers, along with other individuals, were the absolute owners and possessors of land in various survey numbers of Inamguda Village, Laskerguda village, and Abdullapurmet Village & Mandal, Ranga Reddy District, to an extent of Ac. 34-06 Gts.

13. It was further submitted that originally, the Anthati family were the absolute owners of the said lands. After the death of four of the five brothers, their legal heirs succeeded the lands along with the surviving brother, Anthati Balraj. The Answering Respondent and other owners had purchased part of the said lands from Anthati Balraj and the legal heirs of his deceased brothers.

14. It was submitted that the legal heirs, along with the Answering Respondent and other owners, intended to develop the lands and had jointly made an application to the HMDA for permission for an approved layout. The HMDA had issued a letter dated 26-09-2020 for the remittance of charges, half of which the Answering Respondent and other owners had remitted.

15. As matters stood thus, one Anthati Ashok Goud, a legal heir, started to raise a dispute regarding boundaries and made a complaint to the HMDA authorities. He also filed W.P. No. 20654 of 2020 against the Respondent, wherein the Hon'ble court directed the HMDA to take into consideration his legal notice before issuing layout approval.

16. It was submitted that in view of the said complaint, the Respondent and other owners demarcated the boundaries of Anthati Ashok Goud's land. After satisfying himself with the demarcation, he entered into a compromise and informed the HMDA that he was withdrawing his complaint. It was further submitted that the HMDA authorities informed him that they could not issue the draft layout until the writ was withdrawn.

17. It was submitted that in view of the compromise, Anthati Ashok Goud had withdrawn the said writ petition by order dated 03-06-2021 and requested the HMDA to issue the draft layout. Consequently, the HMDA authorities released the draft layout by letter dated 15-06-2021.

18. While being so, it seemed the said Anthati Ashok Goud had once again raised a dispute and given a complaint dated 26-06-2021 to the HMDA authorities to cancel the layout permission.

19. It was submitted that when the Answering Respondent approached the registrar for executing sale deeds, the registrar failed to do so and brought to their notice the order passed by the HMDA revoking the draft layout. The Answering Respondent then obtained a copy of the revocation order dated 07-11-2022.

20. It was submitted that the revocation order passed by the HMDA was illegal, arbitrary, and unconstitutional. It was stated that the Answering Respondent and other owners had paid over one crore forty lakhs as development charges and had also executed a Mortgage Deed in favour of the HMDA. It was contended that revoking the layout permission at that stage, based on the frivolous and vexatious claims of Anthati Ashok Goud, was illegal.

21. It was submitted that no notice was issued to all the owners on the complaint given by Anthati Ashok Goud, and the revoking order had been passed in violation of the principles of natural justice.

22. It was submitted that the Respondent and others had developed the subject land as per the draft approved layout plan. It was contended that Anthati Ashok Goud, after satisfying himself with the demarcation and withdrawing the writ petition, had again started to raise a dispute only to extort money from the Respondent and others.

23. It was submitted that the Respondent was in no way concerned with O.S. No. 8 of 2021, was not a party to the said suit, and no injunction orders had been granted therein.

24. It was submitted that the Hon'ble High Court and Hon'ble Supreme Court had repeatedly held that a Municipal Authority, including the HMDA, could not adjudicate upon issues relating to title. It was argued that if applications for permissions were cancelled merely on the ground of third parties raising disputes, it would result in serious hardship to the owners of the properties.

25. It was submitted that the order revoking the Layout permission was without following the prescribed procedure and was beyond the jurisdiction of the HMDA authorities under the HMDA Act.

26. It was respectfully submitted that one of the owners, M/s Vishwas Infra Developers, and others had approached the Hon'ble High Court by filing W.P. No. 43217 of 2022, and the Hon'ble High Court, by order dated 02-12-2022, was pleased to suspend the said revocation order of the HMDA authority.

27. It was submitted that due to the revoking of the layout permission, the development works could not be completed, and this was intimated to the petitioner. It was stated that even though an interim order had been passed suspending the revocation, the HMDA authorities and the Panchayath Secretary were not allowing the development works to proceed.

28. The contentions made by the petitioner that the promoters and developers were not responding were denied as false. It was submitted that the Respondent had informed the petitioner about the revoking of the layout permission and that the petitioner, despite being aware of the same, had filed the complaint to harass and coerce the Respondent.

29. It was respectfully submitted that due to the revoking of the layout permission by the HMDA, the development works could not be completed, and the delay was neither intentional nor wanton but for the above-said reason only.

30. Finally, it was submitted that the prayer sought in the complaint was not maintainable as the matter was sub judice before the Hon'ble High Court. It was therefore prayed that the Hon'ble Authority be pleased to reject/dismiss the complaint made by the petitioner in the interest of justice.

C. Points for consideration

31. Following issues arise for consideration by the Authority:

- I. Whether the Respondent violated Sections 3 & 4 of the RE(R&D) Act, 2016, by not registering the project, Sai Chaitanya Brundavanam Enclave?
- II. Whether the Complainants are entitled to the reliefs? If yes, to what extent?

D. Observations of the Authority.

POINT I

32. This Authority has carefully perused the pleadings, documents, and material placed on record by both parties, as well as the oral submissions made during the hearing. At the outset, it is observed that the Complainant has alleged that the Respondents a group of individual promoters and developer entities marketed and sold open plots in the project titled “Sai Chaitanya Brundavanam Enclave”, while representing that the project was duly approved by the Hyderabad Metropolitan Development Authority (HMDA) and registered with the Telangana Real Estate Regulatory Authority (RERA). The Complainant contends that the Respondents had assured that the development works would be carried out strictly in accordance with HMDA norms and that the layout would be handed over within one year. However, as per the material available on record, no substantial development has taken place, and it is an admitted fact that the said project has not been registered with this Authority.

33. The Respondent No. 1, in its counter, has denied the allegations and attributed the delay in development to a dispute pending before the HMDA, which culminated in a revocation of layout permission dated 07.11.2022, and subsequently, the Hon’ble High Court of Telangana, by interim order dated 02.12.2022 in W.P. No. 43217 of 2022, suspended the said revocation. The Respondent has contended that since the matter remains sub judice before the Hon’ble High Court, it cannot be held responsible for the delay in completion of the project.

34. It is pertinent to note that the brochure placed on record by the Complainant clearly contains the names of Respondent No. 1 (M/s. M.M. Developers), Respondent No. 5 (M/s. Vishwas Infra Developers), and Respondent No. 10 (M/s. Sri Infra Developers) as the entities advertising and offering plots for sale in the said project. The said brochure forms sufficient prima facie material indicating that these Respondents publicly represented themselves as promoters of the project within the meaning of Section 2(zk) of the Real Estate (Regulation & Development) Act, 2016 (“the Act”).

35. Section 3(1) of the Act mandates that no promoter shall advertise, market, book, sell, or offer for sale any plot, apartment, or building in any real estate project without obtaining prior registration of the project with the Authority. Section 4 of the Act further requires that every such registration application be accompanied by disclosures relating to title, layout plans, timelines, and other essential particulars, thereby ensuring transparency and accountability. The conjoint reading of Sections 3 and 4 establishes a clear statutory condition precedent — that a

project cannot be promoted or sold to the public prior to obtaining registration from this Authority.

36. The legislative intent behind these provisions is unambiguous. The registration mechanism is the very foundation of the consumer protection regime under RERA. It prevents speculative or misleading promotion of unapproved projects and ensures that only legally compliant and financially sound developments are marketed to the public. Any deviation from this mandate frustrates the purpose of the statute and jeopardizes the interests of genuine homebuyers or allottees.

37. The HMDA proceedings relied upon by the Respondents, including the revocation and its interim suspension by the Hon'ble High Court, may have had a bearing on the subsequent development activity, but they do not retrospectively validate promotional activities or sales undertaken prior to obtaining registration. The duty to secure registration under Section 3(1) is absolute, mandatory, and independent of parallel administrative or civil disputes. The argument that pending HMDA litigation prevented completion of the project cannot absolve the promoters of their statutory obligation to have registered the project before offering plots for sale.

38. Further, the HMDA Letter bearing Application No. 026188/GHT/LT/U6/HMDA/24072019 dated 15.06.2021 placed on record clearly indicates that the layout covered an extent of 12,589.51 square metres, which is significantly beyond the exempted limit of 500 square metres prescribed under Section 3(2) of the Act. Consequently, the project does not qualify for any exemption from registration under the RERA framework.

39. In view of the foregoing, this Authority finds that the Respondent No. 1 (M/s. M.M. Developers), Respondent No. 5 (M/s. Vishwas Infra Developers), and Respondent No. 10 (M/s. Sri Infra Developers) have engaged in the advertisement, marketing, and sale of plots in the project "Sai Chaitanya Brundavanam Enclave" without obtaining the mandatory registration as required under Section 3(1) of the Real Estate (Regulation & Development) Act, 2016. The contention that HMDA's revocation or High Court proceedings justify such non-registration is misconceived and legally untenable.

40. The acts of advertising and selling plots in an unregistered project constitute a direct contravention of Section 3(1) of the Act and are punishable under Section 59 thereof.

41. Accordingly, Point I is answered in the affirmative. It is hereby held that the Respondent No. 1 (M/s. M.M. Developers), Respondent No. 5 (M/s. Vishwas Infra Developers), and Respondent No. 10 (M/s. Sri Infra Developers) have violated Section 3 of the Real Estate (Regulation & Development) Act, 2016 by engaging in the marketing and sale of plots in the unregistered project “Sai Chaitanya Brundavanam Enclave.”

42. Therefore, the Secretary of TGRERA is directed to initiate steps against the Respondents under Section 59 of the RE (R&D) Act, 2016, for violation of Section 3 of the RE (R&D) Act, 2016.

POINT II

43. This Authority has carefully examined the pleadings, submissions, and documents placed on record by both the Complainant and the Respondents. It is an admitted fact that the project in question, “Sai Chaitanya Brundavanam Enclave,” was granted layout approval by the HMDA vide L.P. No. 000231/LO/Plg/HMDA/2021 dated 15.06.2021, and that the said approval was subsequently revoked by the HMDA vide order dated 07.11.2022. It is further on record that one of the promoters, M/s Vishwas Infra Developers, along with other owners, has challenged the said revocation before the Hon’ble High Court by filing W.P. No. 43217 of 2022, wherein the Hon’ble Court, by its interim order dated 02.12.2022, was pleased to suspend the revocation order issued by the HMDA.

44. It is thus evident that the validity and legality of the revocation of the layout approval is presently sub judice before the Hon’ble High Court. The outcome of the said writ petition will have a direct bearing on the subject matter of the present complaint, since the reliefs sought by the Complainant, namely, to direct the Respondents to obtain RERA registration and complete the development works are intrinsically dependent upon the subsistence and validity of the layout approval granted by the HMDA.

45. In light of the foregoing, this Authority holds that the present complaint cannot be adjudicated at this stage. The Complainant shall, however, be at liberty to approach this Authority afresh, upon final disposal of W.P. No. 43217 of 2022 or any related proceedings, by placing on record the final outcome and relevant documents.

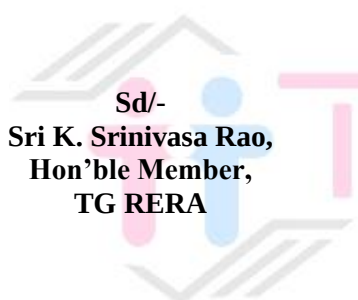
46. Accordingly, the complaint is disposed of in the above terms, without prejudice to the rights and contentions of the parties before the Hon’ble High Court.

E. Directions of the Authority

47. In light of the findings recorded above and in exercise of the powers conferred under Sections 37 and 38 of the Real Estate (Regulation & Development) Act, 2016, this Authority issues the following directions:

- i. The Authority, taking note of the Respondent no. 1 (M/s. M.M Developers), Respondent no. 5 (M/s. Vishwas Infra Developers) & Respondent no. 10 (M/s. Sri Infra Developers) violations of Sections 3 of the Real Estate (Regulation & Development) Act, 2016 by marketing and selling plots without obtaining mandatory registration, hereby directs the Secretary, Telangana RERA, to immediately initiate steps under Section 59 of the RE(R&D) Act, for imposition of appropriate penalty upon the Respondent, subject to the approval of the Authority, for the aforesaid violations.

48. In view of the above directions, the complaint stands disposed of. No order as to costs.

 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
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TELANGANA REAL ESTATE REGULATORY AUTHORITY