BEFORE THE TAMIL NADU REAL ESTATE APPELATE TRIBUNAL (TNREAT)

(Tamil Nadu, Puducherry, Andaman & Nicobar Island)

(Under the Real Estate Regulation and Development Act 2016)

Appeal No.6 of 2018

Dated : 03.12.2019

Coram : Mr.Justice B.Rajendran, Chairperson
Ms.Leena Nair, Administrative Member

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Rajendran Chingaravelu ... Appellant/Complainant

Vs

Unitech Limited
Rep.by Mr.J.D.Kishore Walter ... Respondent/Respondent

This appeal has been preferred against the order passed by the Tamil Nadu Real Estate Regulatory Authority dated 8.11.2018. During the hearing both the parties entered into a compromise agreement and came forward with the petition for compromise. Hence the petition was allowed. On the strength of the compromise petition, this Tribunal has passed the order on 11.06.2019 and for reporting compliance formal hearing date was given on 08.08.2019.

2. For the compliance of the compromise and for reporting settlement, the case was posted on 08.08.2019, 19.08.2019, 03.09.2019, 19.09.2019, 03.10.2019, 21.10.2019, 06.11.2019 and 03.12.2019. Even after sufficient time granted for reporting settlement both parties are not satisfied with regard to the compliance. On 03.12.2019 the appellant party-in-person present. The respondent, Unitech Ltd. Represented by

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Mr. K.Muthukannan, Senior Executive, Legal Department is present. On hearing both sides this Tribunal passed the following order:

ORDER

3. Though the case is settled by mutual settlement between the parties as early as on 11.06.2019 and compromised between the parties, the only issue now pending is as per the compromise entered between the parties the appellant has not withdrawn the Writ Petition in W.P.No. 27038 of 2018 filed by the appellant before the Honble High Court, Madras. As per clause 'J' of the compromise application filed by both the parties, the criminal case has already been withdrawn as admitted by the appellant. According to the respondent they have produced all the approved plans duly sealed by DTCP and other authorities. Though the appellant has received all the copies, his only grievance is that the alleged resolution of the Nallappakkam Panchayat alone is missing, though the resolution has also cited in the approved undated letter, the original of the letter has also been produced before the court. Verified. Copy of all the approval plans are also produced. Yet the appellant is not satisfied only in so far as for non production of the resolution. According to him he has also applied for certified copy of the resolution but not been issued till date.

4. Since the matter has already been compromised between the parties nothing is to be adjudicated before this court, at this point of time. Originally it was only posted for compliance of the delivery of the property. Property has been duly delivered. If the respondent is aggrieved on non withdrawal of the Writ Petition, he can take recourse in accordance with law. As far as the appellant is concerned his grievance is only that the resolution of the Nallappakkam Panchayat is not given. It is for him to take necessary steps with the authorities concerned as compromise is duly accepted. Therefore, nothing much to be adjudicated in this matter. Legal liberty is given to take any action as per the compromise. This appeal is closed.

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This order was dictated to the Stenographer, transcribed and computer typed by the Stenographer and corrected and pronounced by us in the open Court on 3rd day of December 2019.

Sd/- xxx
CHAIRPERSON

Sd/- xxx
ADMINISTRATIVE MEMBER

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