

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 03.12.2018

CORAM

THE HONOURABLE Mrs. JUSTICE PUSHPA SATHYANARAYANA

W.P.No.31801 of 2018

Abilash Prasenna

Rep by his power of Attorney agent,
S.Prasenna Jith

.. Petitioner

Vs.

1. The Principal Secretary to Government,
Housing and Urban Development Department and
Chairperson, Tamil Nadu Real Estate,
Regulatory Authority (TNRERA),
1st Floor, No.1A, Gandhi-Irwin Bridge Road,
Egmore, Chennai 600 008.

2. M/s.Fortune Infra and Constructions Pvt.Ltd.,
Rep by its Director,
No.2, Guna Towers, North Boag Road,
T.Nagar, Chennai 600 017

.. Respondents

PRAYER : Writ Petition filed Under Article 226 of the
Constitution of India praying to issue a Writ of Mandamus,
directing the first respondent herein to dispose of the
petitioner's complaint submitted online vide
No.C.M.P/180628/0648063 dated 28.06.2018 followed by submission
of complaint in hard copy in Form "M" on 04.07.2018 at the
earliest point of time as may be fixed by this Court.

For Petitioner : Mr.S.Rajasekar
For Respondent-1 : Mr.E.Balamurugan
Special Government Pleader

O R D E R

By consent of both parties, the writ petition is taken up
for final disposal at the admission stage itself.

2. The petitioner has come up with this Writ Petition
seeking a direction to the first respondent herein to dispose of

his complaint submitted through online vide No.C.M.P/180628/0648063 dated 28.06.2018 followed by submission of complaint in hard copy in Form "M" on 04.07.2018.

3. According to the learned counsel for the petitioner, the petitioner has submitted a compliant to the first respondent through online on 28.06.2018 seeking a direction to the second respondent-builder to complete all the pending works with reference to the AQUA SPHERE in Semmenchery Village, Tambaram Taluk and hand over the flat to him and submit a report thereof and a further direction to pay a sum of Rs.6,33,840/- as compensation as per clause 7 of the Construction Agreement dated 11.04.2014. Followed by the same, the petitioner filed a hard copy of Form "M" on 04.07.2018. Since the petitioner's complaints were not disposed of by the first respondent, the petitioner has come before this Court by way of this writ petition.

4. Heard Mr.E.Balamurugan, learned Special Government Pleader on behalf of the first respondent.

5. Considering the facts and circumstances of the case and the submissions made on either side, this Court, without expressing any opinion on the merits of the complaints, directs the first respondent to consider the petitioner's complaints dated 28.06.2018 and 04.07.2018 and pass appropriate orders, on merits and in accordance with law, after issuing notice to the petitioner and the second respondent herein and also affording due opportunity of hearing to the petitioner, second respondent herein as well as any of the interested parties, within a period of five weeks from the date of receipt of a copy of this order.

6. With the above directions, this writ petition stands disposed of. No costs.

Sd/-

सत्यमेव जयते
Assistant Registrar

//True Copy//

Sub Assistant Registrar

Srn
To

The Principal Secretary to Government,
Housing and Urban Development Department and
Chairperson, Tamil Nadu Real Estate,
Regulatory Authority (TNRERA),
1st Floor, No.1A, Gandhi-Irwin Bridge Road,
Egmore, Chennai 600 008.

+1cc to Mr.S.Rajasekar, Advocate, S.R.No.83007

+1cc to the Government Pleader, S.R.No.83606

W.P.No.31801 of 2018

GSP(13/12/2018)



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