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IN THE HIGH COURT OF JUDICATURE AT MADRAS
THURSDAY, THE NINETEENTH DAY OF AUGUST

TWO THOUSAND AND TWENTY ONE

PRESENT

THE HONOURABLE MR JUSTICE N. KIRUBAKARAN
AND
THE HONOURABLE MR JUSTICE P. VELMURUGAN

CMSA No.22 of 2019

1 Subashini Thulasiram

W/o Thulasiram

Rep. by her Power Agent B.Jayakshmi

...Appellant/Respondent
/Appellant

Vs

1 M/s.SPR and RG Constructions Pvt Ltd,
Rep.by its Directors Mr.Hitesh Kumar P.Kawad
and Mr.M.Surendranath present address.
M/s.SPR and RG Constructions Pvt Ltd.,
Rep by its Authorised Signatory Ragilaj,
No.1, Cooks Road, Perambur, Chennai 12.

2 CMDA, Thalamuthu Natarajan Maaligai,
Gandhi Irwin Road, Egmore, Chennai-8.

3 The Commissioner, Greater Chennai Corporation,
Ripon Buildings,
Chennai.

4 The State Level Environment Impact Assessment Authority,
Tamil Nadu, III floor, Panagal Maaligai,
No.1, Jeenis Road, Saidapet, Chennai-15

(R2 to R4 Suo Motu impleaded as party Respondents vide court
order dated 04.10.2019 in CMSA 22/19)

...Respondents/Appellant/Respondent

PRAYER: Filed under Section 58 of Real Estate (Regulation & Development) Act 2016, to set aside the order of the Tamil Nadu Real Estate Appellate Tribunal dated 19.06.2019 made in Appeal 2/2019 reversing the order of the Adjudicating Officer, Tamil Nadu Real Estate Regulatory Authority, Chennai, made in SR.No.0002/2018 in unnumbered C.C.P SR. No.____ of 2018 dated 20.12.2018.



ORDER: This Appeal coming on under caption for being mentioned hearing today, upon perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of Mr.R.Singaravelan, Senior Advocate for Mr.Shahul Hameed for the Appellant and Mr.AR.L.Sundaresan, Senior Counsel for Mr.E.Sathish Kumar for the first respondent and of Mrs.Karthikaa Ashok, Standing Counsel for the third Respondent and of Mrs.R.Anitha, Government Advocate for the fourth respondent, an this court made the following order:

The matter is posted under the caption 'For Being Mentioned' at the instance of the Learned Counsel appearing for the First Respondent.

2.Heard Mr.AR.L.Sundaresan, Learned Counsel appearing for the First Respondent. Though the Learned Counsel for the Appellant is not present, since the matter has been posted only to clarify the order passed by this Court, this Court makes the following clarification.

3.It is made clear that observations made by this Court in the judgment dated 15.09.2020 will not preclude the authorities from deciding the matter on merits, without getting influenced by the observations made therein. Accordingly, it is clarified.

Sd/-

Assistant Registrar(CS IV)

//True Copy//

Sub Assistant Registrar

Maya/ay

To:

1. The Tamil Nadu Real Estate Appellate Tribunal,
Chennai.
2. The CMDA, Thalamuthu Natarajan Maaligai,
Gandhi Irwin Road, Egmore, Chennai-8.
3. The Commissioner, Greater Chennai Corporation,
Ripon Buildings,
Chennai.



4. The State Level Environment Impact Assessment Authority,
Tamil Nadu, III floor, Panagal Maaligai,
Saidapet, Chennai-15

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+1 CC to Mr.E.Sathish Kumar, Advocate, Sr.No. 41661.

DATED : 19.08.2021

ORDER:

CMSA.22/2019

Giving direction etc., as
stated.

PVS (CO)
LS (13/09/2021)