

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 02.3.2021

CORAM

THE HONOURABLE MR.JUSTICE T.S.SIVAGNANAM

and

THE HONOURABLE MS.JUSTICE R.N.MANJULA

Review Application No.37 of 2021

Army Welfare Housing Organization
(AWHO), rep.by its Managing
Director, New Delhi-110011

...Applicant

Vs

1.Commander N.Koteeswar

2.The Chennai Metropolitan
Development Authority,
Thalamuthu Natarajan House,
No.1, Gandhi Irwin Road,
Egmore, Chennai-8.



(CMDA suo motu impleaded as party respondent vide
court order dated 27.2.2020 by NKKJ and PVJ)

...Respondents

APPLICATION under Order XLVII Rule 1 read with Section 114 of
the Civil Procedure Code to review the order dated 21.1.2021 made in
CMSA.No.12 of 2020

For Applicant : Mr.Ravikumar Paul, SC
for M/s.AAV Partners
For Respondent-1: Mr.R.Ramasubramaniam Raja

Order of the Court was made by T.S.SIVAGNANAM,J

This review has been filed by the appellant in CMSA.No.12 of 2020 seeking to review the judgment dated 21.1.2021.

2. We have heard the learned counsel for the parties.

3. The learned Senior Counsel appearing on behalf of M/s.AAV Partners, learned counsel on record for the applicant, who had come on record on change of vakalat and who were not the counsel appeared when the appeal was heard, expresses an apprehension that the observation made in paragraph 23 of the judgment dated 21.1.2021 is being understood by the Real Estate Regulatory Authority (RERA) as if it is an observation directed towards the RERA.

4. The applicant need not have any apprehension because paragraphs 22 and 23 of the judgment dated 21.1.2021 have to be read together and those were observations directed against the applicant, in which, the Court expressed its opinion as to how the

applicant organization should treat the members of the society, who have purchased apartments in the project conceived and developed by the applicant bearing in mind that all of them served Defence Establishments in the country. In fact, in the last line of paragraph 23, we have clearly observed that the observation made might be taken note of by the officers at the helm of affairs of the applicant and we never made it to the RERA. We find that there is no error apparent on the face of the judgment calling for exercising the review jurisdiction.

5. Accordingly, the above review application is dismissed. No costs.

02.3.2021

To
The Chennai Metropolitan Development Authority, Thalamuthu
Natarajan House, No.1, Gandhi Irwin Road, Egmore, Chennai-8.

RS

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R.A.No.37 of 2021

T.S.SIVAGNANAM,J
AND
R.N.MANJULA,J

RS



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