



C.R.P.No.1982 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 13.06.2024

CORAM

THE HONOURABLE MR.JUSTICE M.NIRMAL KUMAR

C.R.P.No.1982 of 2024

and

C.M.P.No.10482 of 2024

1.G.Nalini
2.B.Govindaraj
3.G.Dineshkumar
4.M.Sakthivel

... Petitioners

Vs

1.P.Soundararajan
2.V.Umapathy
3.S.Sureshkumar
4.S.Thanumalayan
5.R.Ramesh
6.B.Hemamaalini
7.P.Sujatha
8.P.Soundararajan
9.S.Pandurangan
10.P.Swaminathan
11.S.Ponni
12.S.Aravindan
13.K.Annadurai
14.P.Chandresan
15.A.Srinivasan
16.M.Prasath

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17.A.Arulmozhi
18.M.Rajeshekaran
19.M.Rajeshekaran
20.T.Ganesan
21.S.Govindarajan
22.S.Vijayalakshmi

23.M/s.RVS Developers Pvt., Ltd.,
Rep., by Director Mr.Senthil Azhagan
Off: G2 Lotus Orchid Villa
Old No.113, New No.48 Vanniar Street,
Choolaimedu, Chennai – 600 092 ... Respondents

PRAYER:- Civil Revision Petition filed under Article 227 of the Constitution of India, against the order dated 12.04.2024 (made ready on 26.04.2024 and received on 29.04.2024) in M.A.No.26 of 2024 in Appeal (SR) No.70 of 2024 on the file of the Tamilnadu Real Estate Appellate Tribunal (TNEAT), Chennai.

For Petitioner : Mr.R.Selvakumar

For Respondent : Mr.V.Rajesh Babu

ORDER

The petitioners preferred this Civil Revision Petition challenging the order dated 12.04.2024 in M.A.No.26 of 2024 in Appeal (SR) No.70 of 2024 on the file of the Tamilnadu Real Estate Appellate

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2. The learned counsel appearing for the respondents submitted that the Civil Revision Petition is not maintainable in view of Section 58 of the Real Estate (Regulation and Development) Act wherein it has been stated that 'any person aggrieved by any decision or order of the Appellate Tribunal, may, file an appeal to the High Court, within a period of sixty days from the date of communication of the decision or order of the Appellate Tribunal', and therefore, he submitted that the petitioner ought to have filed an appeal against the impugned order instead of a Civil Revision petition and hence, he prayed dismissal of the Civil Revision Petition.

3. The learned counsel appearing for the petitioner seeks permission of this Court to withdraw this Civil Revision Petition with a liberty to file an Appeal against the impugned order.

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4. In view of the above and recording the endorsement made by the learned counsel appearing for the petitioner, this Civil Revision Petition is dismissed as withdrawn with a liberty to file an appeal against the impugned order. There shall be no order as to costs. Consequently, connected Miscellaneous Petition is closed.

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pbn
Index : Yes/No
Speaking order : Yes/No
Neutral Citations : Yes/No

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M.NIRMAL KUMAR,J.

PBN

To

Tamilnadu Real Estate Appellate Tribunal (TNEAT), Chennai

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and

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