



KERALA REAL ESTATE REGULATORY AUTHORITY
THIRUVANANTHAPURAM

Present: Dr. Asha Thomas, Chairperson
Dr. B Sandhya, Member

Complaint No. 121/2024

Dated 2nd August 2025

Complainant

Rajesh P.P.
Pulissery Veedu,
Muthuvallar P.O, Kondotty, Malappuram District
[By Adv K. Viswanathan]

Respondents

1. B2 Builders and Developers Pvt Ltd.
Door No 29/184, Shornur Road Trissur-680001.
Represented by its Managing Director.
2. Managing Director,
B2 Builders and Developers Pvt Ltd.
Door No 29/184, Shornur Road, Trissur-680001.
3. Director,
B2 Builders and Developers Pvt Ltd.
Door No 29/184, Shornur Road, Trissur-680001
[By Adv. Sandeep T. George]



ORDER

1.The Complainant is an allottee in the real estate project 'Top Homes' developed by the Respondent/promoters at Ernakulam. The 1st Respondent is a Private Ltd Company engaged in the business of construction and sale of apartments. The 2nd Respondent is the Managing Director and 3rd Respondent is the Director. The reliefs sought for by the Complainant are: (i) to direct the Respondents to pay an amount of Rs. 7,34,400/- which was paid by the Complainant to the Respondents as part of the sale consideration along with interest@ 14% per annum till realization of the same, (ii) to direct the Respondents to pay an amount of Rs. 15,88,365/- which was paid by the complainant to Karur Vysya Bank, Thrissur Branch towards the repayment of the housing loan taken in his name by the Respondents even prior to the commencement of the construction of the building together with interest @ 14% per annum till the realization of the same, (iii) to direct the Respondents to pay an amount of Rs. 10,00,000/- as compensation for the mental agony suffered by the complainant on account of the gross deficiency of service and unfair trade practice committed by the respondents and (iv) to direct the Station House Officer, Thrissur East Police Station to take necessary action against the Respondents in accordance with law.

2. The Respondents filed reply dated 20.08.2024 to the averments in the Complaint. Since the project is not seen



registered before the Authority, the Respondents were directed, vide order dated 27.01.2025, to show cause why the project named "Top Homes" is not registered under section 3 of the Real Estate (Regulation and Development) Act, 2016 [herein after referred to as 'the Act, 2016']. In the reply dated 16.02.2025 filed by the Respondents to the show cause notice, it was admitted that the Occupancy Certificate was obtained only on 29.11.2017. The Respondents were then directed, vide order dated 03.05.2025 to register the project under Section 3 of the Act, 2016. Even after the direction, the Respondents/promoters have not registered the project and this Authority decided to proceed further as provided under section 59 (1) of the Act, 2016, for which separate action will be initiated.

3. When the Complaint was taken up for hearing on 02.07.2025 with regard to the reliefs claimed, the Complainant and the Respondents and their Counsels were absent. Nobody even represented for the parties or their counsels.

4. In the circumstances, the Complaint is dismissed for default.

Sd/-
Dr. B. Sandhya
Member

Sd/-
Dr. Asha Thomas
Chairperson

True Copy/Forwarded By/Order/



Secretary (Legal)

