



KERALA REAL ESTATE REGULATORY AUTHORITY

**Trinity Centre, Opposite Chaithanya Eye Hospital,
Kesavadasapuram, Thiruvananthapuram. Pin- 695 004**

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Present: Smt.Preetha P Menon

No. T1/OL/EX/082/2023

Dated 23rd July, 2024.

Applicant: M/s. TC One Realtors and Developers LLP
Villa No.1 Lesly Villas, Karaparamba, Karaparamba,
Govt Homoeopathic Medical College,
Kozhikode, Kerala- 673010

ORDER

1. The Kerala Real Estate Regulatory Authority had issued registration for the real estate project '**TC One Nest**' promoted by **M/s. TC One Realtors and Developers LLP** as per Certificate No. **K-RERA/PRJ/027/2021** dated 18.01.2021 as issued under Section 3 of the Real Estate (Regulation and Development) Act, 2016. [hereinafter referred to as 'the Act, 2016']. The extension of registration for six months notified under the General Order No. **K-RERA/T3/102/2020** dated 15.05.2020, in connection with the Covid pandemic in respect of the project was also added at the time of initial registration and hence the registration was valid up to 30.06.2023. This has been extended for a further period of six months notified under General Order No. **K-RERA/T3/102/2020** dated 19.07.2021, issued in connection with the Covid pandemic and the registration extended up to 31.12.2023.

2. Now the promoter has filed application for extension of registration for one year from 01.01.2024 in Form No. E with the required fee of Rs. 128642.75/- (Rupees One lakh twenty eight thousand six hundred forty-two and seventy five paise only). As per the affidavit dated 05.02.2024, it is affirmed that out of 42 units, 3 units are booked. The overall physical progress is reported as 60%. It is also affirmed that the reason for the delay in the construction of the project is due to the COVID-19 pandemic and floods, which resulted in substantial time loss in the construction of the project. Additionally, they provided a list of pending works and the present status of the work. The building permit is valid up to 31.07.2024.
3. As per the proviso to Section 6 of the Act, 2016, the Authority may in reasonable circumstances, without default on the part of the promoter, based on the facts of each case, and for reasons to be recorded in writing extend the registration granted to the project for such time as it considers necessary, which shall, in aggregate, not exceed a period of one year.
4. Accordingly, the Authority scheduled a hearing on 30.04.2024. Adv. Shaz Ahammed appeared for the promoter company. He submitted that the project started in 2018 and there are only 2 allottees in this project. Additionally, 70% of the construction of the project is completed. In this context, the Authority directed the promoter to submit copies of the Agreement for Sale with the existing allottees and proof of communicating the proposed extension to allottees. Accordingly, the promoter submitted the copies of the Agreements for Sale and consent of allottees.
5. Considering the above facts and circumstances of the case, the Authority, by exercising the powers conferred under Section 6 of the Act, 2016 read with Rule 8 of the Kerala Real Estate (Regulation and Development) Rules, 2018, has decided to extend the registration of the real estate project “**TC One Nest**” for one year from 01.01.2024 to 31.12.2024 subject to the following conditions: -

- i. The extended period shall not in any way affect the rights of the allottees envisaged in the Act, 2016 and the terms and conditions of the agreements executed between the promoter and allottees.
- ii. The promoter shall form an Association of allottees under Section 11(4) (e) of the Act, 2016 as soon as the majority of the units are booked or sold.
- iii. The promoter shall complete the project in all respects within the extended period as per the schedule furnished by the promoter.
- iv. The promoter shall also transfer / hand over the common area and documents pertaining to the project to the Association of Allottees, after completion of the project as promised to the allottees as per the agreements executed with them, as prescribed under Section 17 of the Act, 2016.
- v. The occupancy certificate shall be obtained within the extended period and shall upload the same in the web page concerned and after completion of the project as mentioned above, Form No. 6 shall be uploaded by the promoter in the web portal of the Authority.
- vi. The promoter shall forward the copy of the extension order to all existing allottees.

Sd/-
Preetha P Menon
Member

True Copy/Forwarded by/Order

Secretary (Technical & Administration)
28/7/24

