

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 23-07-2026

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THE HON'BLE MR.JUSTICE S.M.SUBRAMANIAM
AND
THE HON'BLE MR.JUSTICE N.SENTHILKUMAR

C.M.S.A.No.43 of 2026 AND
C.M.P.No.18895 of 2026

M/s.VGN Projects Estates Private Limited
(Formerly Known as VGN Property
Developers Pvt Ltd.),
Rep. by its Authorized Signatory
A.Rangappan,
Having Registered office at,
Y-222, VGN Kimberly Towers,
2nd Avenue, Anna Nagar,
Chennai 600 040.

... Appellant

-VS-

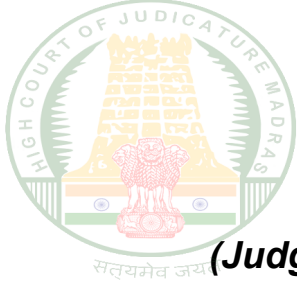
1. V.Kayalkodi
- 2.
3. V.Guruswamy Naidu and Co.Private Ltd.,
Having Registered office at,
No.333 Poonamallee High Road,
Aminjikarai, Chennai 600 029.

... Respondents

Prayer: To set aside the order dated 11-03-2026 passed by the Honble Tamil Nadu Real Estate Appellate Tribunal in Appeal No.15 of 2026 and consequently set aside the order dated 03-06-2025 passed by the Adjudicating Officer, TNRERA in CCP.No.62 of 2023.

For Appellant: Mr.B.Maghizhnan

For Respondents: Mr.V.P.Sengottuvel, Senior Counsel
For Mr.K.R.Nishanth for R1



J U D G M E N T

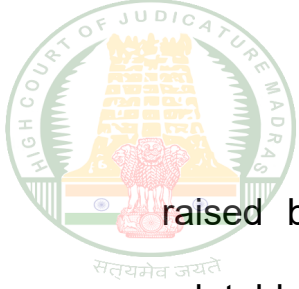
(Judgment of the Court was delivered by S.M.Subramaniam J.)

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The present Civil Miscellaneous Second Appeal has been instituted, challenging the order passed by Tamil Nadu Real Estate Appellate Tribunal (TNREAT) dated 11.03.2026 in Appeal No.15 of 2026, confirming the order of Adjudicating Officer, Tamil Nadu Real Estate Regulatory Authority (TNRERA), Chennai dated 03.06.2025 passed in C.C.P.No.62 of 2023.

2. Both TNREAT and TNRERA granted compensation of Rs.10,00,000/- and a sum of Rs.50,000/- towards cost in favour of the 1st respondent. Concurrent judgments between Authority and Tribunal are taken by way of appeal before this Court.

3. Under Section 58 of the Real Estate (Regulation and Development) Act, 2016 (in short 'the Act, 2016'), appeal would lie before High Court. Sub-Section (1) to Section 58 contemplates 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, to him, on any one or more of the grounds specified in Section 100 of the Code of Civil Procedure, 1908."



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4. This Court has carefully gone through the question of law raised by appellant in the present appeal. The question of law is relatable to facts. Therefore, there is no substantial question of law raised, which is mandatory under Sub-Section 1 to Section 58 of the Act, 2016.

5. Short facts are that appellant is a Promoter of an approved layout. An agreement was entered into between appellant and 1st respondent on 18.10.2019 regarding sale of residential Plot No.17 for a total sale consideration of Rs.1,02,25,000/-. The 1st respondent had paid the sale consideration even before completion of installments and during midway, appellant sold Plot No.17 allotted to 1st respondent in favour of a third party, thereby violated the terms and conditions of agreement.

6. Learned counsel for the 1st respondent would submit that original land owner, who handed over his land for promotion to appellant cancelled the General Power of Attorney, which resulted in cancellation of agreement with the 1st respondent.

7. Contract between land owner and Promoter would not affect the rights of purchaser / 1st respondent, who entered into a contract with appellant / Promoter. The rights of 1st respondent are to be

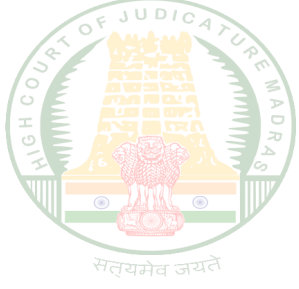


determined with reference to the terms of contract entered into between appellant and 1st respondent. That apart, both TNREAT and TNRERA adjudicated the entire facts in the context of documents produced between parties. There is no further scope to interfere with the factual findings made by these two Forums, namely, TNREAT and TNRERA. In the absence of any substantial question of law, the present appeal is not maintainable under Section 58 of the Act, 2016.

8. Consequently, the present Civil Miscellaneous Second Appeal stands dismissed. No costs. Connected Miscellaneous Petition is closed.

(S.M.S.,J.) (N.S.,J.)
23-07-2026

Index: Yes/No
Speaking/Non-speaking order
Neutral Citation: Yes/No
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S.M.SUBRAMANIAM,J.
AND
N.SENTHILKUMAR,J.
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