

**BEFORE THE  
TAMIL NADU REAL ESTATE REGULATORY AUTHORITY,  
CHENNAI**  
**Quorum : Hon'ble Mr. G. Saravanan, M.A.,B.L., Adjudicating Officer,**  
**Execution Petition No. 33 of 2020 in CCP No. 138 of 2019**

1. Usha Ravi Kumar  
2. Ravi Kumar

.....Petitioners/Complainants

**Vs.**

M/s.Casa Grande Civil Engineering Pvt Ltd  
Rep by its Authorised signatory Sethupathy

.....Respondent/Respondent

Complainants : Rep by M/s. Chennai Law Associates  
Advocates.  
Respondent : Remained absent.

**Heard on : 20.11.2020**  
**Delivered on : 04.12.2020**

**ORDER FOR RECOVERY UNDER SECTION 40(1) OF THE RERA ACT READ  
WITH RULE 26 OF TNRERA RULES FOR NON-COMPLIANCE  
OF THE ORDER IN THE ABOVE CCP DATED 28.11.2019**

The above petitioners/complainants filed the petition for execution stating that the respondent has not complied with the order passed in the above CCP filed by them.

2. In spite of service of notice, the respondent remained absent.

3. Heard the counsel for the petitioners /complainants. It was submitted that the petitioners/complainants filed the CCP.No.138 of 2019, before this Forum for compensation for delay in the completion and handing over the residential apartment booked by them and this Forum by order dated 28.11.2019, awarded compensation for the delay in delivery of the booked flat and also directed the respondent to pay the compensation and cost within 30 days of the date of the issue of the order and till date

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the respondent has not paid the amount due under the order towards compensation and expenses and therefore the petitioners are entitled for execution of the petition by the attachment and sale of the property described in schedule of property belonging to the respondent.

4. Since the amounts due to the petitioners under the order is to be recovered as arrears as land revenue, it is just and necessary to issue warrant under section 40(1) of the RERA Act read with Rule 26 of the TNRERA Rules. The EP is disposed accordingly.

**In the result, it is ordered as follows:**

Issue recovery warrant under section 40(1) of the RERA Act read with Rule 26 of TNRERA Rules and forward the same to the District Collector, Kancheepuram district, to collect the same to satisfy the claims under the orders passed in favour of the above petitioners.

G. SARAVANAN  
ADJUDICATING OFFICER  
TNRERA, CHENNAI

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4.12.2020  
LAW OFFICER  
TN REAL ESTATE REGULATORY AUTHORITY