

**BEFORE THE
TAMIL NADU REAL ESTATE REGULATORY AUTHORITY,
CHENNAI
Quorum : Hon'ble Mr. G. Saravanan, M.A.,B.L., Adjudicating Officer,
Execution Petition No. 38 of 2020 in CCP No. 131 of 2019**

R.Vaithiyathan Order Holder/applicant

Vs.

M/s. R.M. Builders.
Rep by its Proprietor,R.Murugesan Debtor/Respondent

Complainant : Rep. by Mr. Abishek Jenasen, Advocate.

Respondent : Rep by Mr. Kingston Jerold, Advocate

**Heard on : 23.11.2021
Delivered on : 07.12.2021**

**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 16.10.2019**

The above applicant/complainant filed the petition for execution stating that the respondent has not complied with the order passed in the above CCP. On behalf of the respondent, no counter is filed.

2. Heard the counsel for the applicant/complainant. The counsel for applicant/complainant submitted that the respondent has neither preferred any appeal nor settled the amount due under the order in CCP to the applicant and hence the execution of the order for recovery of the amount under the order to be made by this Forum. The learned counsel for the respondent has not disputed the submission made by the counsel for the order holder/applicant

3. Since the amounts due to the complainant under the order is to be recovered as arrears as land revenue, it is just and necessary to issue warrant

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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 send it to the District Collector, Kancheepuram District, to collect the same to satisfy the claims under the orders passed in favor of the above complainant.

**Sd/- 07.12.2021
G. SARAVANAN
ADJUDICATING OFFICER
TNRERA, CHENNAI.**

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**LAW OFFICER
TN REAL ESTATE REGULATORY AUTHORITY**