

**BEFORE THE
TAMIL NADU REAL ESTATE REGULATORY AUTHORITY,
CHENNAI**

Quorum : Hon'ble Mr. G. Saravanan, M.A.,B.L., Adjudicating Officer,

Execution Petition No. 41 of 2020 in CCP No. 319 of 2019

1. S.Udayakumari
2. V.Prasanthdurai ... Petitioners/complainants

Vs.

M/s. Pacifica (Chennai project)
Infrastructure Co.Pvt.ltd.
Rep by its Managing Director, Rocky Israni. ... Respondent/Respondent

Complainants : Rep by Mr. T.Raghavan Advocate,

Respondent : Rep by Mr. Stephen C.Kumar Advocate,

Heard on : 23.09.2021

Delivered on : 12.10.2021

**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 12.11.2019**

The above 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. Heard both sides. It is stated in the counter that the petitioners entered into sale agreement with the respondent in respect of undivided share of land relating unit allotted to them and the respondent is taking steps to file appeal

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by
12/10/2021

before the Hon'ble Tribunal and due to financial constraint and COVID-19 situation the respondent is not in position to file appeal in time.

3. Since the amounts due to the complainants 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 send it to the District Collector, Chengalpattu Taluk, Kancheepuram District, to collect the same to satisfy the claims under the orders passed in favor of the above complainants.

Sd/- 12.10.2021
G. SARAVANAN
ADJUDICATING OFFICER
TNRERA, CHENNAI.

CERTIFIED TO BE TRUE COPY


12.10.2021
LAW OFFICER
TN REAL ESTATE REGULATORY AUTHORITY