

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

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

Execution Petition No.019 of 2021 in CCP No.60 of 2019

1. R.Santhanaraj
 2. S.Krishnaveni
 3. R.Sankara Avudaiyammal
- ... Order holders/Petitioners

Vs.

M/s. Eco Bay Developers and Builders Pvt.Ltd.
Rep by its MD, Sebastian B.M.Gomes

... Debtor/Respondent

Complainants : Party in person

Respondent : Party in person

Heard on : 02.12.2021

Delivered on : 03.01.2022

**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 24.07.2019**

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

2. Heard both sides. It is stated in the counter that due to extreme financial difficulties caused by the deep recession in the real estate market and Covid-19 pandemic the respondent was unable to pay the dues as per the order dated

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1/3/2022
3/1/2022

24.07.2019 and have requested to grant about 4months time starting from December 2021 to settle the dues in full to the petitioner/complainant for which security in the form of MoU will be provided by the respondent. No documents marked as evidence for payment of the amount through the District Magistrate and other payments made. Therefore the above contentions are not acceptable.

3. Since the amounts due to petitioners/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. The EP is disposed accordingly.

In the result, it is ordered as follows:

Issue recovery warrant under section 40(1) of the RERA Act and send it to the District Collector, Thiruvallur District, Thiruvallur, to collect the same to satisfy the claims under the orders passed in favour of the above petitioners/complainants.

Sd/- 03.01.2022
G. SARAVANAN
ADJUDICATING OFFICER
TNRERA, CHENNAI.

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LAW OFFICER
TN REAL ESTATE REGULATORY AUTHORITY