

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

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

**Execution Petition Nos.002, 003 and 011 of 2021**

1.S.Nagappan	In E.P.No.002/2021	In CCP No.140/2019
2. A.Somasundaram	In E.P.No.003/2021	In CCP No.318/2019
3. V.L.Meenal	In E.P.No.011/2021	In CCP No.317/2019

**.... Petitioners/Complainants**

**Vs.**

M/s. Marg Properties Limited.  
Rep by its Director, G.R.K.Reddy

**.... Respondent/Respondent**

Complainants : Rep by Mr. T.Raghavan Advocate,  
Respondent : Rep by Mr. A.C.Kumaragurubaran, Advocate

**Heard on : 23.09.2021**

**Delivered on : 29.10.2021**

**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 CCPs DATED 13.09.2019 (IN CCP NO.140/2019) AND 29.09.2020 (IN CCP  
Nos.318 AND 317 OF 2019 RESPECTIVELY)**

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

2. The learned counsel for petitioners/complainants submitted that the respondent has neither preferred any appeal nor settled the amounts due under the order in above CCPs to the petitioners/complainants and hence the execution of the orders for recovery of the amounts under the orders to be made by this Forum.

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*14/10/2021*

3. The learned counsel for the respondent filed reply stating that the execution petitions are liable to be dismissed for want of proper calculation with relevant particulars for claiming exorbitant interest amount and hence it is denied and further submits that the petitioners/complainants prays for the attachment of the property and wants to proceed under the Tamil Nadu Revenue Recovery Act, 1864

4. Heard both sides. The petitioners/complainants filed the above CCPs, before this Forum for compensation for delay in the completion and handing over the flats booked by them and this Forum by order **dated 13.09.2019 (in CCP no.140/2019) and 29.09.2020 (in CCP nos.318 and 317 of 2019) respectively** dated 28.11.2019), awarded compensation for the delay in delivery of the booked flats and also directed the respondent to pay the compensation within 60 days from the date of the issue of the orders and till date the respondent has not paid the amount under the orders towards compensation expenses and therefore the petitioners/complainants are entitled for execution of the petition by the attachment and sale of the property described in schedule of property under the execution petition.

5. Since the amounts due to the complainants under the orders are 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.

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29/09/2024

**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, Sriperumbudur Taluk, Kancheepuram District, to collect the same to satisfy the claims under the orders passed in favor of the above complainants.

Sd/- 29.10.2021  
G. SARAVANAN  
ADJUDICATING OFFICER  
TNRERA, CHENNAI.

CERTIFIED TO BE TRUE COPY

  
29.10.2021  
LAW OFFICER  
TN REAL ESTATE REGULATORY AUTHORITY