

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

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

**Execution Petition No.27 of 2021 in CCP No.178 of 2019**

R.Santhanaraj ... Order holder/Petitioner

**Vs.**

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

Complainant : 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 30.01.2020**

The above complainant 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 him.

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 30.01.2020 and have requested to grant about 4 months time starting from

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*for*  
31/1/2022

February 2022 to settle the dues in full to the petitioner/complainant for which security in the form of MoU will be provided by the respondent.

3. Since the amounts due to petitioner/complainant 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. Therefore, the above contentions are not acceptable. 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 favor of the above petitioner/complainant.

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

CERTIFIED TO BE TRUE COPY

  
LAW OFFICER  
TN REAL ESTATE REGULATORY AUTHORITY