

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

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

**Execution Petition No.39 of 2021 in CCP No.013 of 2019**

Yusuf Yakub

.... **Petitioner/Complainant**

**Vs.**

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

.... **Respondent/Respondent**

Complainant : Rep by Mr. Yusuf S Q , Advocate,

Respondent : Rep by Mr. A.C.Kumaragurubaran, Advocate

**Heard on : 11.03.2022**

**Delivered on : 24.03.2022**

**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 30.04.2019.**

The above petitioner/complainant filed the petition for execution stating that the respondent has not complied with the order passed in the above CCP filed by him.

2. Heard both sides. The learned counsel for petitioner/complainant submitted that the respondent has neither preferred any appeal nor settled the amount due under the order in above CCP to the petitioner/complainant and hence the execution of the order for recovery of the amount under the order to be made by this Forum.

3. The learned counsel for the respondent contended that the execution petition is liable to be dismissed for want of proper calculation with relevant particulars for claiming exorbitant interest amount and the petitioner/complainant seeks the attachment of the property mentioned in the schedule

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which is not clear, but wants to proceed according to the Tamil Nadu Revenue Recovery Act, 1864. The contentions of the counsel for the respondent are vague and not sustainable.

4. Since the amount due to the 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 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, to collect the same to satisfy the claims under the orders passed in favor of the above petitioner/complainant.

Sd/- 24.03.2022  
G. SARAVANAN  
ADJUDICATING OFFICER  
TNRERA, CHENNAI.

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LAW OFFICER  
TN REAL ESTATE REGULATORY AUTHORITY