

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

**Quorum : Hon'ble Mr. G. Saravanan, M.A.,B.L., Adjudicating Officer,
Execution Petition No.74 of 2021 in CCP NO.26 of 2020**

1. V.Lalitha
2. V.Ramakrishnan ... Petitioners/Order holders

Vs.

M/s. Casa Grande Engineering Pvt. Ltd,
Rep by its MDs, Arun MN and Anirudh Iyer ... Respondent/Debtor

Petitioners : Rep. by M/s.Chennai Law Associates, Advocates
Respondent : Rep. by M/s.Ganesh & Ganesh, Advocates

Heard on : 19.05.2022

Delivered on : 01.06.2022

**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 CCP NO.26 OF 2020 DATED 22.06.2021**

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

2. In the counter of the respondent, it is contended that the respondent has repaid the entire amount paid by the complainants towards the sale consideration for purchasing the said apartment and therefore, the question remained regarding the relief sought for payment of interest and compensation and this Forum ordered for payment of interest on the amount paid by the petitioners to the respondent from the date of payment till the date of

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repayment at the rate of 10.20% per annum and the claim is not maintainable and the petition is liable to be dismissed.

3. Heard both sides. By order dated 22.06.2021, this Forum directed the respondent to pay the petitioners/complainants the interest on the amount paid and also the compensation with litigation expenses. It is not the case of the respondent that they have preferred an appeal against the order of this Forum. Therefore, the contentions raised by the respondent are liable to be rejected.

4. Since the amounts due to the petitioners/order holders 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 forward the same to the District Collector, Chennai, to collect the same to satisfy the claims under the orders passed in favor of the above petitioners/order holders.

Sd/- 01.06.2022
G. SARAVANAN
ADJUDICATING OFFICER
TNRERA, CHENNAI.

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LAW OFFICER
TN REAL ESTATE REGULATORY AUTHORITY

1.6.2022