

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

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

**Execution Petition Nos. 40, 41, 42, 43 and 44 of 2022**

**in CCP Nos. 24, 25, 26, 27 and 28 of 2019**

1	J. Sridhar	:	EP No.40/2022	in	CCP No.24/2019
2	K. Shankar	:	EP No.41/2022	in	CCP No.25/2019
3	V. Aishwarya & Another	:	EP No.42/2022	in	CCP No.26/2019
4	J. Rajesh	:	EP No.43/2022	in	CCP No.27/2019
5	C.S. Nagalakshmi & Another	:	EP No.44/2022	in	CCP No.28/2019

**... Petitioners/Order Holders**

**Vs.**

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

**... Respondent/Debtor**

Petitioners	:	Rep. by Mr. P. Kamarasu, Advocate
Respondent	:	Rep. by Ms. Mohana Priya, Advocate

**Heard on : 24.04.2023  
Delivered on : 15.05.2023**

**ORDER FOR RECOVERY UNDER SECTION 40(2) OF RERA ACT READ  
WITH RULE 27 OF THE TNRERA RULES FOR NON-COMPLIANCE  
OF THE ORDERS IN THE ABOVE CCPs DATED 07.05.2019**

The above petitioners filed the petitions for execution contending that the respondent has not complied with the order passed in the respective CCPs filed by them.

2. The respondent filed counter stating that the petitioners failed to give proper and correct particulars in column No.7 of the petition and the mode of execution amounts to excessive execution and the schedule of the properties for attachments is not clearly shown and correct provision of law is not specified and the petitioners calculated interest which is above the interest rate in the Act and therefore all the execution petitions are liable to be dismissed.

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*ds/15/23*

3. Heard both sides. Admittedly, the respondent has not preferred any appeals against the orders in the above CCPs and has not settled any amounts towards the claims of the petitioners as per the orders made by this Forum in the above CCPs.
4. Under the column No.7 of the petition for providing the recoverable amount with interest due upon the order, the petitioners have mentioned the particulars of the amounts to be recovered from the respondent. The respondent has not filed any statement of account or memo of calculation to dispute the claims of the petitioners. The respondent has raised vague and invalid grounds to dispute the claims of the petitioners in the EPs. The objections of the respondent are not sustainable and are rejected. It is held that the petitioners are entitled to recover the amounts as per the claims in the petitions.
5. Since the amounts due to the petitioners under the orders are to be recovered as arrears of land revenue, it is just and necessary to issue warrants under section 40(1) of the RERA Act read with rule 26 of TNRERA Rules for execution. The EPs are disposed accordingly.

**In the result, it is ordered as follows:-**

Issue recovery warrants under section 40(1) of the RERA Act read with Rule 26 of the TNRERA Rules and send them to the District Collector, Kancheepuram to collect the amounts and satisfy the claims under the orders passed in the above CCPs in favour of the above complainants.

**Sd/- 15.05.2023  
G. SARAVANAN,  
ADJUDICATING OFFICER,  
TNRERA, CHENNAI.**

