

BEFORE THE
TAMIL NADU REAL ESTATE REGULATORY AUTHORITY,
CHENNAI
Quorum : Hon'ble Mr. G. Saravanan, M.A.,B.L., Adjudicating Officer,
Execution Petition No. 50 of 2022 in CCP No.27 of 2020

Dr. Neela Kannan

.... Applicant/Order Holder

Vs.

M/s. Selene Estate Ltd.,
Rep.by its Authorised Signatory,
D. Murugesh

.... Respondent/Debtor

Petitioners : Rep. by Mr. O.S. Karthikeyan, Advocate
Respondent : Rep. by Mr. A.R. Vishwaram, Advocate

Heard on : 28.11.2022
Delivered on : 07.12.2022

**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 17.09.2021**

The above petitioner/order holder filed the petition for execution stating that the respondent/debtor has not complied with the order passed in the above CCP filed by them. The respondent has not filed any counter.

2. By order dated 17.09.2021, this Forum directed the respondent to refund the amount paid by the petitioner with interest, compensation and cost within 30 days from the date of issue of the order. One year has elapsed since the passing of the order. No appeal against the order of this Forum before the Appellate Tribunal is preferred by the respondent. Therefore, the petitioner is entitled to seek execution of the order.

TRUE COPY

A. Arindam

3. Since the amounts due to the petitioner/order holder 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 amount to satisfy the claims under the order passed in favor of the above petitioner/order holder.

**Sd/- 07.12.2022
G. SARAVANAN
ADJUDICATING OFFICER
TNRERA, CHENNAI.**

