

**BEFORE THE  
TAMIL NADU REAL ESTATE REGULATORY AUTHORITY,  
CHENNAI**  
**Quorum : Hon'ble Mr. G. Saravanan, M.A.,B.L., Adjudicating Officer,**  
**Execution Petition No.53 of 2022 in CCP No.162 of 2020**

Mylsamy Karuppa Gounder

... **Petitioner/Order Holder**

**Vs.**

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

... **Respondent/Debtor**

Petitioner : Rep. by Mr. J. Pachiyappan, Advocate  
Respondent : Rep. by Mrs. S. Mohanapriya, Advocate

**Heard on : 11.01.2023**  
**Delivered on : 01.02.2023**

**ORDER FOR RECOVERY UNDER SECTION 40(2) OF RERA ACT READ  
WITH RULE 27 OF THE TNRERA RULES FOR NON-COMPLIANCE  
OF THE ORDER IN THE ABOVE CCP DATED 19.11.2021**

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

2. The respondent filed counter stating that the petitioner 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 petitioner calculated interest which is above the interest rate in the Act and therefore the execution petition is liable to be dismissed.

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*1/2/23*

3. Heard both sides. Admittedly, the respondent has not preferred any appeal against the order in the above CCP and has not settled any amounts towards the claim of the petitioner as per the order made by this Forum in the above CCP.

4. Under the column No.7 of the petition for providing the recoverable amount with interest due upon the order, the petitioner has 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 petitioner. The respondent has raised vague and invalid grounds to dispute the claims of the petitioner in the EP. The objections of the respondent are not sustainable and are rejected. It is held that the petitioner is entitled to recover the amounts as per the claims in the petition.

5. Since the amount due to the petitioner/order holder under the order is to be recovered as arrears of land revenue, it is just and necessary to issue warrant under section 40(1) of the RERA Act read with rule 26 of TNRERA Rules for execution. 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 the TNRERA Rules and send it to the District Collector, Kancheepuram District, to collect the amounts and satisfy the claims under the orders passed in the above CCP in favour of the above petitioner.

**Sd/- 01.02.2023  
G. SARAVANAN,  
ADJUDICATING OFFICER,  
TNRERA, CHENNAI.**

