

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

**Quorum : Hon'ble Mr. G. Saravanan, M.A.,B.L., Adjudicating Officer,
Execution Petition No.07 of 2023 in CCP No.116 of 2021**

N. Prema

.... Petitioner/Order holder

Vs.

M/s. SSM Builders & Promoters
Rep. by its Parters K. Santhanam
And 4 Others

.... Respondent/Debtor

Petitioner : Rep. by M/s. J. Saravana Vel, Advocates

Respondent : Rep. by Mr. Salai Varun, Advocate

Heard on : 08.05.2023

Delivered on : 29.05.2023

**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 27.07.2022**

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 them. The respondent has not filed any counter.

2. Heard the counsel. By the order dated 27.07.2022, this Forum directed the respondent to pay the compensation and cost within 30 days from the date of issue of the order. But the respondent has not settled the amount of compensation as per the order to the applicant. 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.

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29/5/23

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 the TNRERA Rules and send it to the District Collector, Chengalpattu District, to collect the amounts and satisfy the claims under the orders passed in the above CCP in favour of the above petitioner.

**Sd/- 29.05.2023
G. SARAVANAN,
ADJUDICATING OFFICER,
TNRERA, CHENNAI.**

