

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

Quorum : Mr. Sunil Kumar, I.P.S (Retd), M.A, LLB, Hon'ble Single Member

Execution Petition No. 8 of 2022 in CCP No. 166 of 2020

Sudhir N. Shenoy

... Complainant

Vs.

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

... Respondent

Complainant : Rep. by M/s. Ralph V. Manohar, Advocates

Respondent : Rep. by M/s. S. Poornima, Advocates.

**Heard on : 08/06/2023
Delivered on : 14/06/2023**

**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 23/02/2022**

1. The above complainant filed the petition for execution stating that the respondents have not complied with the order passed in the above CCP filed by them.
2. The respondents have not obtained any stay in the appeal if any preferred by the respondent before the Appellate Tribunal nor he has paid the amount due to the complainant in compliance of the order of this Forum.
3. The facts in the counter are not supported by any documents and are vague.
4. In the above CCP, the respondent is directed to pay the complainants, the amount of Rs.40,45,282/- with interest as the cost of the flat, Rs.67,914/- towards the cost of registration and litigation expenses of Rs.20,000 as ordered in CCP No. 166 of 2020 dated 23/02/2022.

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5. Since, the amount due to the complainant under the order is due and liable to be recovered, 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 disposed of 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 to the District Collector, Kancheepuram, to collect the same for the satisfaction of the claim under the orders passed in favor of the above complainant.

Sd/- 14/06/2023
SUNIL KUMAR, I.P.S (Retd)
SINGLE MEMBER
TNRERA, CHENNAI

