

**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. 18 of 2023 in CCP No. 125 of 2021

KalidasaShankaran ... Complainant

Vs.

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

Complainant : Rep. by M/s. A. Kamalakannan, Advocates

Respondent : Rep. by M/s. B. Ramana Kumar, Advocates.

**Heard on : 03/08/2023
Delivered on : 04/08/2023**

**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 25/11/2022**

1. The above complainant filed the petition for execution stating that the respondent has not complied with the order passed in the above CCP filed by them.
2. The respondent has 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 very normal and have no substance for consideration at this juncture. As far as the change of circumstances stated in the counter relating of a letter of intent dated 21/02/2020 as been considered in the letter dated 25/11/2022 which was marked as Ex-B2.

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4. In the above CCP, the respondent is directed to pay the complainant, the amount of Rs.43,31,687/- with interest @ 9.30 p.a and litigation expenses of Rs.25,000 as ordered in CCP No. 125 of 2021 dated 25/11/2022.

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, Chengalpet, to collect the same for the satisfaction of the claim under the orders passed in favor of the above complainant.

Sd/- 04/08/2023
SUNIL KUMAR, I.P.S (Retd)
SINGLE MEMBER
TNRERA, CHENNAI

