

**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. 23 of 2023 in CCP No. 375 of 2021

Mr. V. Sadasivam

... Complainant

Vs.

M/s. VGN Projects Estates Pvt, Ltd.,
[previously called as M/s. VGN Property
Developers Pvt. Ltd. and also as M/s. VGN Developers
Pvt. Ltd.]
Rep by its Managing Director,

... Respondent

Complainant : Rep. by M/s. R. Baskardoss, Advocates

Respondent : Rep by M/s. Tatva Legal Chennai, Advocates

**Heard on : 17/08/2023
Delivered on : 17/08/2023**

**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 02/01/2023**

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. In the above CCP, the respondent is directed to pay the complainant, the amount of Rs.9,40,840/- with interest @ 9.30 p.a and litigation expenses of Rs.25,000/- as ordered in CCP No. 375 of 2021 dated 02/01/2023.

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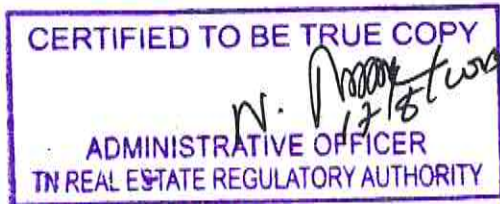
4. The facts in the counter are very common and have no substance for consideration at this juncture, as the objections has already been raised even at the time of enquiry of CCP No. 375 of 2021.

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

Sd/- 17/08/2023
SUNIL KUMAR, I.P.S (Retd)
SINGLE MEMBER
TNRERA, CHENNAI



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

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

E.P No. 23 of 2023 in CCP No. 375 of 2021

21st September, 2023

Mr. V.Sadasivam

.... Complainant

Vs.

M/s. VGN Projects Estates Pvt. Ltd.,
[Previously called as M/s. VGN Property
Developers Pvt. Ltd. and also as M/s. VGN Developers
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Rep by its Managing Director

..... Respondent

Complainants : Rep. by M/s. R.Baskardoss, Advocates.

Respondent : Rep by M/s. Tatva Legal Chennai, Advocates.

AMENDMENT

An Affidavit with petition has been filed by V. Sadasivam, to correct the order dated 17/08/2023.

The following typographical error is ordered to be rectified in the existing portion and read as follows:-

Amendment in E.P No. 23 of 2023 in CCP No. 375/2021

Correction is ordered in page 1, Point No. (3) of the order as **"In the above CCP, the respondent is directed to pay the complainant, the amount of Rs.48,48,976.95/- as on 20/04/2023, with interest @ 9.30% p.a till realization as ordered in CCP No. 375 of 2021 dated 02/01/2023. (i.e. Aggregated amount of Rs.62,60,245.95 including interest up to 20/04/2023 & litigation expenses at Rs.25,000/- (-) minus**

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Rs.14,36,269/- payable to the respondent and is equal to Rs.48,48,976.95/-)"

Instead of "In the above CCP, the respondent is directed to pay the complainant, the amount of Rs.9,40,840/- with interest @ 9.30 p.a and litigation expenses of Rs.25,000/- as ordered in CCP No. 375 of 2021 dated 02/01/2023."

Sd/- 21/09/2023
Mr. SUNIL KUMAR, I.P.S (Retd)
SINGLE MEMBER BENCH
TNRERA,CHENNAI

