

**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. 50 of 2023 in RCP No. 190 of 2022

A.Chandru

... Complainant

Vs.

M/s. Brownstone Foundations Pvt. Ltd.

Rep by its Director

Mr.K.S.Sreedhar, K.S. Prakash

... Respondent

Complainant : Rep. by Mr.D.Giribabu, Advocate

Respondent : Exparte

**Heard on: 03/10/2023
Delivered on: 03/10/2023**

**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 RCP DATED 19/05/2023**

1. The above complainant filed the petition for execution stating that the respondent has not complied with the order passed in the above RCP filed by them.
2. The respondent has not obtained any stay in any appeal preferred by the respondent before the Appellate Tribunal nor has he paid the amount due to the complainant in compliance of the order of this Forum.
3. In the above RCP, the respondent is directed to pay the complainant, the amount of Rs.46,29,932/- with interest @ 10.00% p.a, for the paid sum of Rs.31,00,000/- till realization and litigation expenses of Rs.25,000 as ordered in RCP No. 190 of 2022 dated 19/05/2023. (i.e. Rs.31,00,000/- with interest at the rate of 10.00% p.a from the date of respective payment till 31/07/2023,

TRUE COPY

Rs.15,04,932/-) (Rs.31,00,000/- + Rs.15,04,932/- + Rs.25,000/- =
Rs.46,29,932/-)

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

Sd/- 03/10/2023
SUNIL KUMAR, I.P.S (Retd)
SINGLE MEMBER
TNRERA, CHENNAI

