

**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 2024 in RCP No. 61 of 2022

Dr. S.Chandra

... Complainant

Vs.

M/s. Manju Foundation Private Limited,
Represented by its Managing Director,
Thiru. M.Vidhyasagar

... Respondent

Complainant : Rep. by M/s. Rajarajan, Advocates

Respondent : Ex-parte

Heard and Delivered on: 11/06/2024

**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 14/09/2023**

1. The above complainant filed the petition for execution stating that the respondents have 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.54,81,163/- with interest @ 9.30% p.a, for the paid sum of Rs.29,64,401/- from the payment of respective payment till realization and litigation expenses of Rs.25,000 as ordered in RCP No. 61 of 2022 dated 14/09/2023. (i.e. Rs.29,64,401/- with interest at the rate of 9.30% p.a from

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the date of respective payment till 16/02/2024 = Rs.24,91,762/-)
(Rs.29,64,401/- + Rs.24,91,762/- + Rs.25,000/- = Rs.54,81,163/-)

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

Sd/- 11/06/2024
SUNIL KUMAR, I.P.S (Retd)
SINGLE MEMBER
TNRERA, CHENNAI

