



**BEFORE THE TAMIL NADU REAL ESTATE
REGULATORY AUTHORITY (TNRERA)
(Tamil Nadu, Andaman & Nicobar Islands)
at Egmore, Chennai – 600 008**

[Under the Real Estate (Regulation and Development) Act, 2016]

E.P.No.18/2023 in C.No.145/2020

13th day of September, 2023

**Coram : Thiru K. Gnanadesikan, I.A.S. (Retired), Chairperson
Er. S. Manohar, Member
Adv. V. Jeyakumar, Member**

Tmt. N. Lakshmi

.....Execution Petitioners/
Complainants

Versus

Thiru Y.Gangadhar, Managing Director
M/s.Anayakrishnaa Constructions Pvt. Ltd.

.....Respondent/Respondent

The above Execution Petition came up for final hearing before this Authority in the presence of M/s. N.Ramiah – Counsel for Execution Petitioner/Complainant and of M/s.Waraon & Sai Rams – Counsel for Respondent. This Authority passes the following order:

ORDER

The Execution Petitioner has filed this Execution Petition for enforcement of the orders passed by this Authority dated 19.08.2021 in Complaint No.145/2020.

2. This Authority has passed common order in respect of Complaint Nos.130, 143 and 145 of 2020 in its order dated 19.08.2021.

3. The Respondent Promoter has not filed its response/Compliance Affidavit in this Execution Petition No.18/2023 in spite of specific direction by this Authority to file the same before 26.04.2023.

4. Thiru T.V.Seetharaman, the Complainant in Complaint No.130/2020 had already filed an Execution Petition in E.P.No.7/2022 in C.No.130/2020 for enforcement of the orders passed by this Authority dated 19.08.2021, on which this Authority has already passed orders on 09.02.2023.

5. The orders of this Authority in E.P.No.7/2022 holds good in this E.P.No.18/2023 in Complaint No.145/2020 as well.

6. In the absence of the Compliance Affidavit by the Respondent Promoter, this Authority concludes that the Respondent Promoter has not paid the non refundable deposit of Rs.5 lakhs and the rent arrears upto 10.12.2018 to this Execution Petitioner.

7. This Authority directs the Respondent Promoter to pay the non refundable deposit of Rs.5 lakhs as well as the rent arrears upto 2018 to the Execution Petitioner Tmt. N.Lakshmi immediately without further loss of time.

8. In respect of non compliance of the direction of this Authority to pay the non refundable deposit as well as the rent arrears upto 10.12.2018, this Authority under Section 63 of the Act imposes on the

Respondent Promoter a penalty of Rs.3,000/- for every day during which the default continues which may cumulatively extend upto Rs.3 Lakhs.

9. With the above findings and directions, the Execution Petition No.18/2023 is disposed of.

Sd/-...13.09.2023
MEMBER (M), TNRERA

Sd/-...13.09.2023
MEMBER (J), TNRERA

Sd/-...13.09.2023
CHAIRPERSON, TNRERA

/TRUE COPY/FORWARDED/BY ORDER


ADMINISTRATIVE OFFICER
13.9.23