



W.P.No.34187 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :10.12.2024

CORAM

THE HONOURABLE MR.JUSTICE S.SOUNTHAR

W.P.No.34187 of 2024

Sajit Haridas

..... petitioner

Vs.

1.The State of Tamil Nadu,
Represented by its Additional Chief Secretariat,
Namakkal Kavignar Maaligai,
Fort St. George, Chennai – 600 009.

2.The Collector,
District Collector Office,
GST Road, Chengalpattu,
Tamil Nadu – 603 001.

3.The Tahsildar,
O/o/The Tahsildar,
No./69/40, Anna Salai,
Little Mount, Guindy.

4.M/s.Vijay Shanthi Builders Limited,
Represented by its Managing Director,
Old Door No.8, New Door No.21,
First Avenue, Indira Nagar,
Adyar, Chennai – 600 020.

5.Tamil Nadu Real Estate Regulatory Authority,



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Member – III, Egmore,
Chennai – 600 008.

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..... Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, against the respondents 2 and 3 herein, thereby directing them to comply with and expedite the order-cum-directions dated 08.09.2023 issued by the Tamil Nadu Real Estate and Regulatory Authority, Chennai.

For petitioner : Mr.S.V.Pravin Rathinam

For Respondents :Mr.V.Ramesh
Government Advocate
for R1 and R3
R4-unserved
R5-No Appearance

ORDER

This writ petitioner seeks a direction to the respondents 2 and 3 to execute the order passed by the Tamil Nadu Real Estate and Regulatory Authority, Chennai, dated 08.09.2023.

2. It is the case of the petitioner that the 4th respondent failed



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to complete the construction and hand over building in time. Therefore, the petitioner preferred a complaint before the Tamil Nadu Real Estate and Regulatory Authority, Chennai in CCP.No.94 of 2021. The said authority directed the 4th respondent to pay a sum of Rs.66,64,522/- together with interest and litigation expenses. The recovery warrant issued by said authority was communicated to the second respondent by letter dated 10.10.2023. In spite of the same, the respondents 2 and 3 have not taken any steps to initiate proceedings under Revenue Recovery Act and collect the compensation amount from the 4th respondent. Therefore, the writ petition has filed before this Court.

3. Mr.V.Ramesh, learned Government Advocate appearing for the respondents 1 to 3 would submit that the Revenue Recovery Proceedings will be completed in accordance with law within time fixed by this Court.

4. In view of the same, without going into the merits of the claim made by the writ petitioner, the respondents 2 and 3 are directed to initiate proceedings under Revenue Recovery Act pursuant to the recovery



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warrant issued in CCP.No.94 of 2021 on the file of Tamil Nadu Real Estate Regulation Authority, Chennai and complete the revenue recovery proceedings in accordance with law, within a period of twelve weeks from the date of receipt of copy of this order, after affording opportunity to the 4th respondent.

5. Accordingly, this writ petition is disposed of. No costs.

10.12.2024

Index : Yes/No
Speaking order: Yes/No
Neutral Citation: Yes/No
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To
1.The State of Tamil Nadu,
Represented by its Additional Chief Secretariat,

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Namakkal Kavignar Maaligai,
Fort St. George, Chennai – 600 009.

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2.The Collector,
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Tamil Nadu – 603 001.

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S.SOUNTHAR, J.

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