



WP.No.17151 of 2025

In the High Court of Judicature at Madras

Dated : 02.6.2025

Coram :

The Honourable Mr.Justice N.ANAND VENKATESH

Writ Petition No.17151 of 2025

Mr.G.Babu Prasad

...Petitioner

Vs

1.The District Collector, IV Floor,
Singaravelar Maligai, No.62,
Rajaji Salai, Chennai
Collectorate, Chennai-1.

2.The Tahsildar, No.1,
Rajiv Gandhi Salai,
1st Cross Street,
Sholinganallur, Chennai-119.

3.M/s.Selene Estate Limited
(Ozone Group), rep.by
Authorized Signatory
Mr.Premnath

...Respondents

PETITION under Article 226 of The Constitution of India praying for the issuance of a Writ of Mandamus directing the 1st and 2nd respondents to confiscate the following schedule mentioned property of the third respondent :

Attachment and sale immovable property

Block No.F1, Flat/Apartment No.F11910



WEB COPY



WP.No.17151 of 2025

Project Name : M/s.Selene Estate Limited
(Ozone Group) Place of Project, Jalladianpettai Village,
Sholinganallur Taluk, Chennai-600100 Survey No.
SRO, Saidapet Registration District of Chennai South.

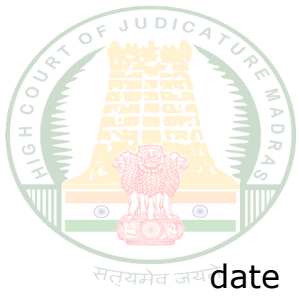
For Petitioner : Mr.P.Balamurali
For R1 & R2 : Mr.G.Velu, AGP

ORDER

This writ petition has been filed seeking for a direction to the first respondent to act upon the order passed by the Tamil Nadu Real Estate Regulatory Authority (TNRERA), Chennai and to attach the concerned property for the purpose of recovering the amount from the defaulter.

2. Mr.G.Velu, learned Additional Government Pleader accepts notice for respondents 1 and 2. Heard both.

3. The petitioner is a decree holder pursuant to the order dated 10.8.2023 in R.C.P.No.75 of 2022 on the file of the TNRERA, Chennai. Further, a direction was issued to the third respondent to pay the entire amount along with interest and costs within 30 days from the



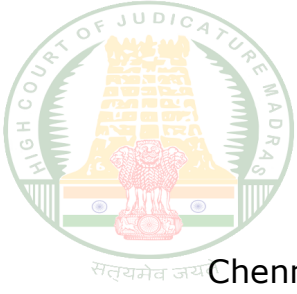
WP.No.17151 of 2025

WEB COPY

date of issuance of the said order dated 10.8.2023. Since the said direction was not complied with, the petitioner filed E.P.No.1 of 2024, in which, the TNRERA issued the recovery warrant on 04.11.2024 against the third respondent under Section 40(1) of the Real Estate (Regulation & Development) Act, 2016 read with Rule 26 of the Tamil Nadu Real Estate (Regulation & Development) Rules, 2017.

4. The recovery warrant was forwarded to the first respondent for execution. The first respondent, in turn, forwarded the same to the second respondent authorizing to recover the amount together with interest and remit the same by a bank draft to the bank account of the petitioner. The petitioner also made a representation dated 13.2.2025 to the second respondent in this regard. Since no action has been taken till date, the above writ petition came to be filed before this Court.

5. Taking into consideration the facts and circumstances of the case and perusing the materials placed before this Court, the writ petition is disposed of with a direction to the second respondent to act upon the recovery warrant dated 04.11.2024 issued by the TNRERA,



WP.No.17151 of 2025

WEB COPY

Chennai in E.P.No.1 of 2024 in R.C.P.No.75 of 2022 within a period of four weeks from the date of receipt of a copy of this order. No costs.

02.6.2025

To

1.The District Collector, IV Floor,
Singaravelar Maligai, No.62,
Rajaji Salai, Chennai
Collectorate, Chennai-1.

2.The Tahsildar, No.1,
Rajiv Gandhi Salai,
1st Cross Street,
Sholinganallur, Chennai-119.

RS



WEB COPY



WP.No.17151 of 2025

N.ANAND VENKATESH,J

RS

W.P.No.17151 of 2025

02.6.2025