



WEB COPY



W.P.No.20438 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.06.2025

CORAM

THE HONOURABLE Mr.JUSTICE N. ANAND VENKATESH

W.P.No.20438 of 2025

Mithun Perumal B

.. Petitioner

Vs.

1.The District Collector
Chengalpattu District
Chengalpattu

2.The Tahsildar
Thiruporur Taluk
Thiruporur
Chengalpattu District

3.The Sub Collector
Chengalpattu Division
Chengalpattu District

4.Real Value Promoters Pvt. Ltd.
Rep. by its Managing Director
Ambojini 17-1, Poes Road, 2nd Street
Teynampet, Chennai-18

.. Respondents

Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a writ of mandamus directing the 1st respondent to initiate revenue recovery proceedings as per the Recovery Warrant dated 15.02.2023 issued by the



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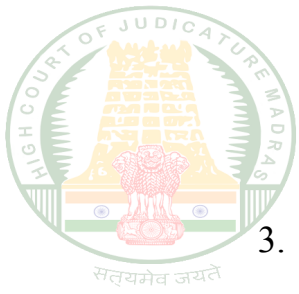
Adjudicating Authority under RERA Act in E.P.No.33 of 2022 in CCP.No.17 of 2020 and to recover a sum of Rs.44,10,459/- due to petitioner from the 4th respondent and pay it to the petitioner within the time frame as may be fixed by this Court.

For Petitioner : Mr.G.P.Arivuchudar
for M/s.Law Square
For RR1 to 3 : Mr.R.Murthy
Government Advocate

ORDER

This writ petition has been filed for the issue of a writ of Mandamus directing the 1st respondent to initiate revenue recovery proceedings in line with the Recovery Warrant dated 15.02.2023 issued by the adjudicating authority under the Real Estate (Regulation and Development) Act, 2016, in E.P.No.33 of 2022 in CCP.No.17 of 2020 and to recover a sum of Rs.44,10,459/- from the 4th respondent and pay it to the petitioner.

2. Heard the learned counsel for the petitioner and the learned Government Advocate, appearing on behalf of the official respondents and perused the materials placed on record.



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3. The case of the petitioner is that he had booked a flat with the 4th respondent in one of their projects and paid a sum of Rs.24,52,169/- out of the total cost of Rs.31,72,190/-. The 4th respondent agreed to hand over the flat on or before December 2018. Since the 4th respondent did not hand over the flat and failed to refund the amount, the petitioner filed an application before the Real Estate Regulatory Authority (RERA) in CCP.No.17 of 2020. The RERA, through an order dated 30.09.2021, directed the 4th respondent to refund a sum of Rs.24,52,169/- with interest and also to pay the cost. Since this order was not complied with, the petitioner filed E.P.No.33 of 2022 before the Adjudicating Officer of RERA. Pursuant to the same, Recovery Warrant dated 15.02.2023 came to be issued to recover a sum of Rs.44,10,459/-. Even though the Recovery Warrant has reached the 1st respondent, no steps were taken under the Revenue Recovery Act, to recover the amount from the 4th respondent. It is under these circumstances, the present writ petition came to be filed.

4. Considering the facts and circumstances of the case and taking note of the materials placed before this Court, there shall be a direction to the 1st respondent to act upon the Recovery Warrant dated 15.02.2023 issued by the Adjudicating



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Officer in E.P.No.33 of 2022 and take immediate steps to recover the amount from

the 4th respondent in line with the provisions of the Revenue Recovery Act. This process shall be completed by the 1st respondent within a period of eight weeks from the date of receipt of a copy of this order.

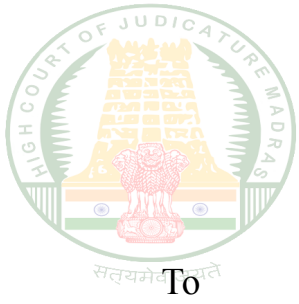
This writ petition is disposed of with the above directions. No costs.

09.06.2025

Index : Yes/No

Neutral Citation : Yes/No

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N. ANAND VENKATESH, J.

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