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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.07.2025

CORAM

THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

W.P.No.26222 of 2025

A.Chandru

...
Petitioner

Vs.

1.The District Collector
Chennai District Collectorate, 4th Floor
Rajaji Salai, Chennai-600 001.

2.The Tahsildar
Guinday Taluk, Anna Salai, Guindy
(Next to MGR Medical University)
Chennai 600 032.

3.M/s.Brownstone Foundations Pvt. Ltd.,
Rep. by its Director
"Challa Mall" No.108, First Floor
No.11/11A, Sri Theagaraya Road
Pondy Bazar, T.Nagar
Chennai 600 017.

...
Respondents



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Prayer : Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus directing the 1st respondent to execute recovery warrant issued under section 40 (1) of the RERA Act, 2016, r/w Rule 26 of TNRERA Rules 2017 by the TNRERA Chennai vide E.P. No. 50 of 2023 in RCP No.190 of 2022 dt. 03.10.2023 for collecting claim amount of Rs.46,29,932/- with interest @ 10% p.a, for the paid sum of Sum of Rs.31,00,000/- till realization and litigation expenses of Rs.25,000/- as ordered in RCP No.190 of 2022 dated 19.05.2023 (i.e. Rs.31,00,000/-with interest at the rate of 10 % pa. from the date of respective payment till 31.07.2023 Rs.15,04,932/-) (Rs.31,00,000/-+ Rs.15,04,932/- + Rs.25,000/- = Rs.46,29,932/-) in the light of petitioner's representation dated 25.06.2025 within a reasonable time that may be fixed by this Court.

For Petitioner : Mr.D.Giribabu

For Respondents : Mr.G.Velu
Additional Government Pleader
for R1 & R2

ORDER

This writ petition has been filed for issue of writ of mandamus directing the 1st respondent to execute the Recovery Warrant issued under



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Section 40(1) of the Real Estate (Regulation And Development) Act, 2016
r/w Rule 26 of the Tamil Nadu. Real Estate (Regulation and Development)
Rules, 2017 in E.P.No.50 of 2023 in RCP No.190/2022 dated 03.10.2023.

2.Heard Mr.D.Giribabu, learned counsel appearing on behalf of the
petitioner and Mr.G.Velu, learned Additional Government Pleader appearing
on behalf of respondents 1 and 2.

3.It is seen from records that already a Recovery Warrant has been
issued in EP No.50 of 2023 in RCP No.190/2022 by the Tamil Nadu Real
Estate Regulatory Authority, Chennai, to the 1st respondent. The grievance
of the petitioner is that the 1st respondent is yet to execute the Recovery
Warrant.

4.Taking into consideration the facts and circumstances of the case
and considering the materials placed before this Court and also taking note
of the order passed by the concerned authority, there shall be a direction to



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the 1st respondent to execute the recovery warrant by initiating necessary steps, within a period of six weeks from the date of receipt of copy of this order.

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

18.07.2025

Internet : Yes
Index : Yes
Speaking Order / Non Speaking Order
ssr

To

1.The District Collector
Chennai District Collectorate, 4th Floor
Rajaji Salai, Chennai-600 001.



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2. The Tahsildar

Guinday Taluk, Anna Salai, Guindy
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N. ANAND VENKATESH, J.

SSR

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