



WEB COPY



W.P.No.33206 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 02.09.2025

CORAM

THE HONOURABLE Mr.JUSTICE **M.DHANDAPANI**

W.P.No.33206 of 2025

V.SHIVA

Petitioner

Versus

THE DISTRICT COLLECTOR

OFFICE OF THE DISTRICT COLLECTOR,
CHENGALPET DISTRICT, CHENGALPET

Respondent

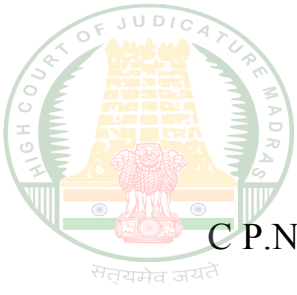
Prayer: Writ Petition is filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus directing the respondent to expeditiously execute the recovery warrant issued by the Adjudicating officer, TNRERA vide order dated 31.03.2022 in E P No. 37 of 2020 in C.C. P.No. 008 of 2019 by fixing a time frame.

For Petitioner : Mr.T.Ragavan

For Respondents : Mr.P.Ganesan
Additional Government Pleader

ORDER

This Writ Petition has been filed to direct the respondent to expeditiously execute the recovery warrant issued by the Adjudicating officer, TNRERA vide order dated 31.03.2022 in E P No. 37/2020 in C.



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C.P.No. 008 of 2019 by fixing a time frame.

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2. The learned counsel appearing for the petitioner would submit that the petitioner booked a villa with M/s RRP Housing Private Limited by paying a sum of Rs.50,000/- as advance and the said M/s RRP Housing Pvt., Ltd., allotted a Villa No.A27, with an extent of 780 Sq.ft., and built up area of 1340 Sq.Ft., at a total cost of Rs.47,63,428/- and the petitioner paid a sum of Rs.31,64,230/-. The sale deed of the land was executed on 03.12.2014. As per the construction agreement, the date of delivery of the villa was on 31.08.2015 with a grace period of six months, but the said M/s RRP Housing Pvt., Ltd., has not completed the construction, hence the petitioner withdrawn the project seeking refund of the entire amount and the same was not considered, hence the petitioner filed a complaint in C.C.P.No.008 of 2019 before the Tamilnadu Real Estate Regulatory Authority, Chennai. The said authority ordered to pay the amount to the petitioner within a period of 60 days and the same was not complied with. Hence the petitioner filed Execution Proceedings for recovery of the amount and the execution warrant was issued as early as on 13.04.2022 in E.P.No.37 of 2020. Since the recovery order has not been implemented by the respondent, the present writ petition has been



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filed.

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3. Per contra, the learned Additional Government Pleader appearing for the respondent would contend that a direction may be issued to the respondent to implement the order passed by the Tamilnadu Real Estate Regulatory Authority, Chennai in E.P.No.37 of 2020 in C.C.P.No.008 of 2019 dated 31.03.2022 within a limited time fixed by this Court.

4. Considering the facts and circumstances of the case and taking note of the fact that since M/s RRP Housing Pvt., Limited is not a party to this Writ petition, this Court is not inclined to pass any adverse order as against the said M/s RRP Housing Pvt., Limited, therefore, this Court hereby directs the respondent to implement the order passed by the Tamilnadu Real Estate Regulatory Authority, Chennai in E.P.No.37 of 2020 in C.C.P.No.008 of 2019 dated 31.03.2022 within a period of twelve weeks from the date of receipt of a copy of this order, after providing sufficient opportunity to the said M/s RRP Housing Private Limited.

M.DHANDAPANI, J.,



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With the above direction, the writ petition is disposed of. No

costs.

02.09.2025

Index: Yes/No;
Internet: Yes/No
Speaking /Non speaking Judgment
ssd

To

THE DISTRICT COLLECTOR
OFFICE OF THE DISTRICT COLLECTOR,
CHENGALPET DISTRICT, CHENGALPET

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