



W.P.No.39583 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.10.2025

CORAM :

THE HONOURABLE MR. JUSTICE M. DHANDAPANI

W.P.No.39583 of 2025

1.Ramadevi
2.C.S.Suresh

... Petitioners

Vs.

1.The District Collector,
First Floor,
Collectorate,
Tiruvannamalai – Kanchipuram Road,
Thaiyar Kullam, Kanchipuram – 631 501.

2.Tamil Nadu Real Estate Regulatory Authority (TNRERA),
No.1A, 1st Floor, Gandhi Irwin Bridge Road,
Egmore, Chennai – 600 008.

3.Marg Properties,
Rep. by its Director G R K Reddy,
Sri Sai Subhodaya Apartments,
No.57/2B, East Coast Road,
Thiruvanmiyur, Chennai – 600 041.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the 1st respondent to consider petitioner's representation dated 24.07.2025 and subsequently to proceed with recovery of amount as per the order of the Tamil Nadu Real Estate Regulatory Authority in E.P.No.54 of 2024 dated 19.05.2025.



W.P.No.39583 of 2025

For Petitioners : Mr.K.Z.Kabeer Ahmed

For Respondents : Mrs.S.Anitha

Special Government Pleader [R1]

Notice dispensed with [R2 & R3]

ORDER

This Writ Petition has been filed by the petitioner seeking a Writ of Mandamus, to direct the 1st respondent to consider petitioner's representation dated 24.07.2025 and subsequently, to proceed with recovery of amount as per the order of the Tamil Nadu Real Estate Regulatory Authority in E.P.No.54 of 2024 dated 19.05.2025.

2. Since no adverse order has been passed against the respondents 2 and 3, notice to the respondents 2 and 3 is dispensed with.

3. Mrs.S.Anitha, learned Special Government Pleader, accepts notice on behalf of the 1st respondent. With the consent of both the parties, this writ petition is taken up for final disposal at the stage of admission itself.



W.P.No.39583 of 2025

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4. The case of the petitioners is that they have booked flats with the 3rd respondent in their project and have paid an advance amount of Rs.6,47,929/-. After such payment, the construction of the flats was not completed. For non-construction of the flats as agreed by the 3rd respondent on time, the petitioners have filed a complaint before the 2nd respondent u/s 31 r/w 71 of the Real Estate Regulatory and Development Act, 2016 (in short 'RERA Act') in C.C.P.No.18 of 2019 and the 2nd respondent has passed an order, dated 30.04.2019 in favour of the petitioners. In order to execute the said order, the petitioners have filed an execution petition in E.P.No.54 of 2024 in C.C.P.No.18 of 2019 before the 2nd respondent and the 2nd respondent, vide order, dated 19.05.2025, ordered for issuance of recovery warrant against the 3rd respondent. However, the said order was not implemented, thereby, the petitioners have made a representation dated 24.07.2025 before the 1st respondent to execute the recovery warrant as ordered by the 2nd respondent. Since the same was not considered by the 1st respondent, the petitioner has filed the present writ petition before this Court for appropriate orders.



W.P.No.39583 of 2025

To
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- 1.The District Collector,
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Collectorate,
Tiruvannamalai – Kanchipuram Road,
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- 2.Tamil Nadu Real Estate Regulatory Authority (TNRERA),
No.1A, 1st Floor, Gandhi Irwin Bridge Road,
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W.P.No.39583 of 2025

M.DHANDAPANI, J.

sp

W.P.No.39583 of 2025

23.10.2025
(2/2)



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W.P.No.39583 of 2025

W.M.P.No.44467 of 2025
in
W.P.No.39583 of 2025

M.DHANDAPANI, J.

Ordered on payment of
single court fee.

sp **23.10.2025**
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