



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 18-11-2025

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THE HONOURABLE MR JUSTICE M.DHANDAPANI

W.P. Nos. 44032 and 44033 of 2025

W.P.No.44032 of 2025

1. S.K.Balasubramanian
S/o.Late.S.R.Kalyanasundaram, Having
Residence At 4-c, 9 And 11, Rukmani
Street, Shreyas Srilakshmi Apartments,
Kalakshetra Colony, Besant Nagar,
Chennai-600 090.

Petitioner

Vs

1. The District Collector
Chennai District, Singaravelar Maligai,
No.62, Rajaji Salai, Chennai
Collectorate, Chennai-600 001.

2.The Tahsildar
Egmore Taluk, No.88, Mayor
Ramananthan Salai, Chetpet, Chennai-
600 031.

Respondents

W.P.No.44033 of 2025

1. Vijay Shankar Venugopal
Rep. By His Power Of Attorney Holder,
S.K.Balasubramanian, Havng Residence
At 4-c, 9 And 11, Rukmani Street,
Shreyas Srilakshmi, Apartments,
Kalakshetra Colony, Besant Nagar,
Chenani-600 090.



Petitioner

Vs

1. The District Collector
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2.The Tahsildar
Egmore Taluk, No.88, Mayor
Ramananthan Salai, Chetpet, Chennai-
600 031.

Respondents

Common Prayer in both W.Ps.:-

The Writ Petitions are filed under Article 226 of the Constitution of India for the issuance of a Writ of Mandamus directing respondents to proceed and perform their statutory duties by executing the attachment auction or sale described in the Recovery warrant dated 29.05.2025.



For Petitioner(s): M.R. Ramasubramaniam Raja
in both W.Ps.

For Respondent: Mr.M.Rajendiran
Additional Government Pleader

COMMON ORDER

The present Writ Petitions have been filed for the issuance of a Writ of Mandamus directing respondents to proceed and perform their statutory duties by executing the attachment auction or sale described in the Recovery warrant dated 29.05.2025.

2. The learned counsel for the petitioner submits that the petitioner had booked a three-bed room apartment bearing No.A172 on the 17th Floor in “Lavender” Block of the respondent's project known as “Embassy Residency”. The construction sale agreement was executed on 18.04.2012 between the petitioner and the developer. The UDS was registered vide Document No.7811/2015 dated 13.07.2015 on the file of the Sub Registrar, Selaiyur. The due date of delivery of the agreement was agreed between the parties on or before 28.02.2015. However, the same was not completed within the stipulated time, constraining the petitioner to approach the Tamil Nadu Real Estate Regulatory Authority through C.C.P.Nos.62 and 63 of 2020 seeking refund of the amount with interest.



3. The Tamil Nadu Real Estate Regulatory Authority dismissed the complaints filed by the petitioner, vide order dated 13.02.2023. Aggrieved thereby, the petitioner filed appeals before the Tamil Nadu Real Estate Appellate Tribunal in A.Nos.18 and 19 of 2023 and the appeals were allowed by directing the developer to pay a sum of Rs.1,14,32,198/- and a sum of Rs.1,18,97,357/-. However, the developer did not comply with the said order. Hence, the petitioner filed E.P.No.83 of 2023 in C.C.P.No.62 of 2020 and E.P.No.84 of 2023 in C.C.P.No.63 of 2020, in which, a recovery warrant was issued as against the developer, vide order dated 30.05.2025, however, the same was not implemented by the first respondent. Challenging such inaction, the present Writ Petitions have been filed.

4. Heard the learned counsel appearing for the petitioner and the learned Additional Government Pleader appearing for the respondents and perused the materials placed before this Court.

5. Considering the facts and circumstances of the case, this Court directs the 1st and 2nd respondent to implement the recovery warrant issued by the Tamil Nadu Real Estate Regulatory Authority, dated 30.05.2025, if there is no legal impediment, within a period of twelve (12) weeks from the date of receipt of a copy of this orders.

6. With the above directions, these Writ Petitions are disposed of. There shall be no order as to costs.

18-11-2025

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To

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Collectorate, Chennai-600 001.

2.The Tahsildar
Egmore Taluk, No.88, Mayor
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M. DHANDAPANI, J.

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