



W.P.No.44076 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 13.11.2025

CORAM:

THE HON'BLE MR.JUSTICE M.DHANDAPANI

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C.Muthukumar

... Petitioner

Vs.

1.The District Collector,
Chennai District,
Chennai.

2.The Tahsildar,
Guindy Taluk,
Chennai.

3.VGN Project Estates Pvt. Ltd.,
Y-222, VGN Kimberly Towers,
II Avenue, Anna Nagar,
Chennai-600 040.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India,



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praying for issuance of a Writ of Mandamus, directing the first and second respondents herein to execute the order dated 10.04.2024 passed by the Tamil Nadu Real Estate Regulatory Authority in E.P.No.41 of 2024 in R.C.P.No.180 of 2022 and remit the award amount of Rs.1,22,17,809/- together with further interest till the date of realization to the petitioner by bringing the subject property into auction or any other immovable property owned by the third respondent to recover the said amount within a time frame fixed by this Court.

For Petitioner : Mr.K.M.Vijayan, Sr. Counsel
for M/s.K.M.Vijayan Associates

For Respondent-1 & 2 : Ms.S.Anitha, SGP

ORDER

The present Writ Petition has been filed seeking a direction to the first and second respondents herein to execute the order dated 10.04.2024 passed by the Tamil Nadu Real Estate Regulatory Authority in E.P.No.41 of 2024 in R.C.P.No.180 of 2022 and remit the award amount of Rs.1,22,17,809/-



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together with further interest till the date of realization to the petitioner by

bringing the subject property into auction or any other immovable property

owned by the third respondent to recover the said amount, within a time

frame as fixed by this Court.

2. Heard both sides. With the consent of both sides, the present Writ Petition is taken up for hearing at the admission stage itself. Since no adverse orders has been passed against the third respondent, notice for the third respondent is dispensed with.

3. The learned counsel for the petitioner submitted that the petitioner entered into a sale agreement with the third respondent to buy two flats in the VGN Fairmont project at Guindy, Chennai, however, the third respondent failed to complete and hand over the flats within a stipulated time. He added that the petitioner sought for cancellation and refund, but there was no response from the third respondent despite several communications and legal notice, hence, the petitioner made a complaint before TNRERA, which was



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allowed, directing the third respondent to refund a sum of Rs.66,.81,090.35

with interest. He further submitted that as against the order of TNRERA, the third respondent neither complied with the order nor filed an appeal, therefore, the petitioner filed execution petition in E.P.No.41 of 2024, which was allowed by TNRERA, by issuing a recovery warrant for Rs.1,22,17,809/-, for which, the first respondent issued a direction to the second respondent to recover the same from the third respondent, however since there was no action on the part of the official respondents, the present Writ Petition has been filed.

4. Considering the facts and circumstances of the case, this Court directs the official respondents to implement the order passed by the Tamil Nadu Real Estate Regulatory Authority in E.P.No.41 of 2024 in R.C.P.No.180 of 2022, after providing an opportunity of hearing to the petitioner as well as the third respondent and shall pass orders in accordance with law, if there is no legal impediment in executing the order, within a period of 12 weeks from the date of receipt of a copy of this Order. There



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shall be no orders as to costs.

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Index: Yes/No

NCC : Yes/No

Order : Speaking/Non Speaking

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To

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2.The Tahsildar,
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M.DHANDAPANI.J.

DP

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