



**BEFORE THE TAMIL NADU REAL ESTATE
REGULATORY AUTHORITY (TNRERA)
(Tamil Nadu, Andaman & Nicobar Islands)
at Egmore, Chennai – 600 008**

[Under the Real Estate (Regulation and Development) Act, 2016]

E.P.No.10/2022 in C.No.175/2021

2nd day of March, 2023

**Coram : Thiru K. Gnanadesikan, I.A.S. (Retired), Chairperson
Er. S. Manohar, Member
Adv. V. Jeyakumar, Member**

Tmt. M. Daisy] Execution Petitioner/
Rep. by Power Agent, Thiru Jayakrishna] Complainant

Versus

M/s. Amarprakash Developers Pvt. Ltd. ... Respondent/Respondent

The above Execution Petition came up for final hearing before this Authority and the Execution Petitioner represented by M/s. R. Thiagarajan, Counsel for Execution Petitioner/Complainant and the Respondent Promoter represented by Mr. D.Ravichandran, Counsel for Respondent Promoter.

ORDER

The Execution Petitioner Tmt. M.Daisy, represented by Power Agent, Thiru Jayakrishna has filed this Execution Petition in E.P.No.10/2022 in C.No.75/2021 for execution of the directions by the Respondent Promoter as per the orders of this Authority dated 30.12.2021 in Complaint No.75 of 2021. The Authority in its order dated 30.12.2021 had directed the Respondent to complete the apartment in all respects including all amenities as per the Construction Agreement dated 25.09.2013 and to handover the apartment to the Complainant before on 28.02.2022 without insisting on payment of interest on delayed payment.

2. The Complainant has submitted that the Respondent has not handed over the property to him till date of this Petition thereby not complying with the TNRERA order.

3. The Respondent Promoter has not filed Compliance Affidavit so far in spite of direction by this Authority in the hearings conducted by it to file Compliance Affidavit in terms of orders of this Authority.

4. In view of the non compliance of the orders of this Authority in Complaint No.175/2021 dated 30.12.2021, this Authority under Rule 27 of the Tamil Nadu Real Estate (Regulation and Development) Rules, 2017 directs Thiru S.Selvakumar, Additional Director (Operation) of this Authority to take possession of the Apartment No.O-201 in as is where is basis in the integrated Township at Thirumudivakkam village and Panchayat

promoted by the Respondent Promoter M/s. Amar Prakash Developers Pvt. Ltd. and handover the same to the Execution Petitioner before 30.04.2023.

5. The Execution Petitioner is at liberty to complete the pending works, if any, as per the Construction Agreement at the risk and cost of the Respondent Promoter.

Sd/-...02.03.2023

MEMBER (M), TNRERA

Sd/-...02.03.2023

MEMBER (J), TNRERA

Sd/-...02.03.2023

CHAIRPERSON, TNRERA

/TRUE COPY/FORWARDED/BY ORDER

N. 
2/3/2023
ADMINISTRATIVE OFFICER