

2.2.2026

பெயர் - டிவிஸ் ஜெயின்

(துவங்கப்படும் நேரம் - 3.15 PM)

(முடிக்கப்பட்ட நேரம் - 5.35 PM)

O.S. No.97/2015 (P.W-1)

குறுக்கு விசாரணை :-

சாட்சிக்கு தமிழ் தெரியாததால் ஆங்கிலத்தில் அவரது குறுக்கு விசாரணை பதிவு செய்யப்படுகிறது.

What is your date of birth? My date of birth is 21.2.1996. Who gave instructions to prepare the plaint? My father gave instructions to my counsel on my behalf for preparing the plaint as I was a minor. How many time in a year you visit your property in Ooty? After my studies I came once or twice in a year to my property. Apart from this property, did I own any other property in Ooty? No. I don't have any other property in Ooty. What is the nature of the property which I have in Ooty? The property is made of 3 bits. In one bit I own a house in which I used to stay when I visit Ooty. Another bit overlooks railway track and it is situated in the same area. Now the PW1 stating that he is having 4 bits of land. Whether I gone through the gift settlement deed executed by my grandfather in my favor? Yes. What is the extent gifted in my favor? Without perusing document, I can't answer it. I am not aware of the same. I am not able to tell in which survey number to what extent of land I am gifted with? I am not aware with the survey number and extents of land but the properties in S.No.20 1662 Sq.fts of land were encroached. Whether I gone through my proof affidavit? Yes. Now the witness states he thinks that he is gifted with 1.34 acres of land. As my father gave instruction to my advocate for filing this suit as I am a minor, I am not aware that how much extent of land I am gifted with? No its not true. Then I am duty bound to state the exact survey numbers and the extent. The survey numbers are K.19, K20,K17,K18 and the extent is 1.34 acres of land. Now the witness is stating that as to his memory the total extent is 2.75 acres of land. In which survey number my house is located? K19. In the second para of the

Proof Affidavit, I state that I am having 2 houses in survey no.K9/20 and the defendant suggest that the same is a false one? No whatever the facts contains in the proof affidavit is true. In second para of the proof affidavit I mentioned the extent of the property is 0.50.50 hectors and where did I collect the same? I collected it from the Government surveyor. Whether I didn't go through the gift settlement deed? No I went through it. But not recently. Whether I didn't went through it when the proof affidavit was prepared? No I went through it at that point of time. In the gift settlement deed there is no extent mentioned as 0.50.50 hectors? I am not aware, I have to go through the same. Gift settlement deed doesn't mention that I was gifted with 2 houses bearing D.No.286 and 287 in s.No.K9/20? I am not aware, I have to check the same. After the gift settlement deed was executed in my favour, when I visited the properties? My father visited the property in the month of July, 2014 and I am not aware when I visited the property. But I visited the property later. Whether I am aware of the details of the purchase made by grandfather relating to the property which he gifted me? I am not completely aware of the details. Whether I am aware where Ex.A1 sale deed was executed and registered? No I am not aware. I need to refer the document. There is a power of attorney executed by my grandfather in favour of my father for the purpose of executing the gift settlement deed in my favour and where is the power of attorney? If there is in court it will be there otherwise I have to check. In the gift settlement deed in the schedule of properties various extent of land is gifted in various survey numbers and my father alone can state the details? no I can answer the same. In the gift settlement deed in K9/19 0.36 10/16 acres of land, K9/17 0.33 acres of land and K9/18 0.72acres of land and K9/20 1.34 acres of land where did I get the extent to the respective survey numbers? Mother deeds and government records. Already I mentioned that I am not aware of the details of Ex.A1 i.e. Sale deed then Which documents I refer as mother deed? Government records. Whether I am aware of the documents filed along with the proof affidavit? No, I have to check. I produced the photo copy of the Sale deed through which my grandfather purchased the property, Photo copy of the gift settlement deed, Photo copy of chitta extract, photo copy of patta proceedings, photocopy of complaint dt.19.07.2014,

office copy of legal notice dt.16.09.2014, Original postal acknowledgment card. In those above documents, which documents I am mentioning parent deed? Champalal's Sale deed. I already answered that I am not aware regard to the details in Ex.A1, but now I am stating it as mother deed? I have to check the document. Where from I got the details of the extent of the property and their respective survey numbers? I got it from the sale deed of the year 1968 through which the said Champalal purchased the property. I got the details from the surveyor. Even before the preparation of the gift settlement deed the survey was done? Yes. In para 9 of my proof affidavit, I have mentioned that " I most respectfully further submit that after noticing the encroachment, I made several request and demands calling upon the defendants to demolish and remove the temporary constructions made by the defendants" when and where did you make this request? I made verbally in July 2014 and I made request through my counsel also. To which of the defendants I made verbal request and where I made it? I made the request to defendant Mr.Gunasekaran through phone and in the office of Superintendent of police. Now the witness is stating that he needs to check his phone to confirm whether he called defendant Gunasekaran or defendant Pattabiraman. I am having his mobile number stored in my phone. I didn't met any of the defendant in person and made request or contacted them through phone and made request as stated in para 9 of my proof affidavit? No I met the defendants in the office of Land Grabbing Cell. I didn't made any personal request to the defendants as mentioned in para 9 of the proof affidavit? Yes. I met them in the office of Land Grabbing Cell. The gift settlement deed in my favor was executed only for the filing of the suit? No. The sale deed executed in favor of my grandfather was executed and registered in Calcutta? I need to check the document. My grandfather was well within knowledge that the defendants were in possession and enjoyment of the full extent of land in Survey No.K9/20? No its false. Whatever the allegations which I have mentioned in para Nos.5, 6 and 7 of my proof affidavit are only reasons assigned for filing the present suit? No, its false. The defendants have not encroached 1662 Sq.ft of land but they are in possession and enjoyment of the whole extent of land in S.No.K9/20.I couldn't enter the property because they don't permit me. They use

antisocial elements to prevent me from entering the property. Neither you nor your people are able to go inside the land under the possession of the defendants? Yes. When the defendants used the antisocial elements? Multiple times. But I don't remember the year. May be between 2015 to 2018. they threatened me and my people by catching my collar. Neither my grandfather nor my father or yourself have got inside the land in S.No.K9/20 as the defendants were in possession and enjoyment of the land from the year 1986 onwards. No, its false. I went to the land with my grandfather. In which year I went to the land with my grandfather 2006, 2007. Now the witness is stating that he went there in that decade and later stating that he is not aware when he went there. My grandfather's Sale deed in Ex.A1 doesn't have any reference as to the T.S.numbers but in the settlement deed the T.S.Nos have been mentioned. So that the T.S.nos. Were included after survey. I am not aware, I have to check the document. What is the value of the gifted property? No I don't know the value of the property. The suit is undervalued for the reliefs claimed for? No. on the date of filing the suit one cent of land costs about 3 to 4 lakh. No I am not aware of the market value. As I am not aware with the value of the property, how I claimed Rs.5000/- per day as damages? Its a minimum rate so I claimed it. Then I should be aware of the minimum value of the property? No, I am not aware. Whether I know the value of the land in S.No.K9/20. No, I am not aware. Defendants are in possession and enjoyment of the entire extent of land in K9/20 on their own rights. Hence, you are not entitled for any of the reliefs claimed for? No, its false. Even though, my grandfather purchased the property in the year 1968, the defendants are in possession and enjoyment of the entire extent of land in K9/20 from the year 1986 till date. Hence, they are not liable for any of the reliefs sought for in the suit.? No, its false. The two houses build up in S.No.K9/20 are build by the defendants. I never went to K9/20 after their encroachment. Those two houses were build in the year 1988 and electricity and water service connections were provided to them? Not to my knowledge. The defendants substantiate their rights by adverse possession, neither you or your family members are entitled for any reliefs? No, its false. Because of the afore stated reasons the suit shall be dismissed with costs? No, its false. I have

produced photocopies of Ex.A1, A2, A3 and A4, where are the originals of those documents? Those original documents are with me. The revenue records pertaining to land in K9/20 doesn't stand in my name? I don't know, I need to check.