

**BEFORE THE ADDITIONAL MASTER II
HIGH COURT, MADRAS
T.O.S.No.11 OF 2022**

Date:11.12.2025

Time :03.10 P.M.

Name : Mrs.R. Vijayalakshmi (PW1)

Continuation of Cross Examination by Mr.M.Sridhar Learned Counsel for the Defendant D3 & D4.

Solemnly affirmed:

Q83: Whether you have filed any proof to show that your father-in-law handed over you the original Allotment Order?

A: I do not remember.

Q84: (Proof affidavit along with all the documents are shown to the witness). After perusing your proof affidavit confirm whether you have filed any proof to show that your father-in-law handed over you the original Allotment Order?

A: No. I have not filed any proof for the same. But I have filed the copy of the Allotment Order.

Q85: (Ex.P5 and P12 are shown to the witness). In Ex.P5 and P12 is there any mention about that your father-in-law handed over the original Allotment Order to you?

A: No, there is no mention about the handed over the original Allotment Order to me in Ex.P5 and P12.

Q86: Can you produce the original Allotment Order before this Hon'ble Court?

A: No, it cannot be produced.

Q87: Whether you have maintained and in possession of the suit shop after handing over the possession to you by your father-in-law?

A: Yes.

Q88: Since you have stated that you are in possession of the suit property do you know the adjacent shop owners of the suit property?

A: I do not know.

Q89: What is the last visit of you to the suit shop?

A: Last year in the month of December.

Q90: Are you sure that the suit shop is in closed condition till date?

A: Yes.

Q91: I put it to you that the shop is in open condition and it was running by the tenant till date and the respondent is having the photos and videos to prove the same.

A: I deny. We are not receiving any rent from 2022.

Q92: I put it to you that Shop No.B39 (M.S.Chellam Pillai & Sons and R.J.Plastic) is the adjacent shop on the right side of the suit shop (B37).

A: I do not know.

Q93: I put it to you that Shop No.B35 (ASP Traders) is the adjacent shop on the left side of the suit shop (B37).

A: I do not know.

Q94: I put it to you that the tenant who occupied the suit shop has sent Rs.22,000/- per month to the account of your husband.

A: I do not know.

Q95: At the time of execution of Ex.P5 and P12 who were all residing with your father-in-law?

A: Myself and my husband along with our children, my mother-in-law were residing with my father-in-law at the time of execution of Ex.P5 and P12.

Q96: How long you were residing along with your father-in-law in the address No.5, Ganapathi Naicker Street, Poothapedu?

A: About five years we were residing in the above said address. I do not remember the exact year.

Q97: Whether it is before or after the execution of Ex.P5 and P12?

A: After marriage about 5 years we were residing in the above said address along with my father-in-law.

Q98: What is the age of your father-in-law at the time of execution of Ex.P5 and P12?

A: Above 80 years.

Q99: Whether he was in a good health condition at the time of execution of Ex.P5 and P12 since his age was above 80 years?

A: Yes, he was in a good health condition.

Q100: Who brought your father-in-law to the Registrar office?

A: My husband, my father-in-law's friend (I forget his name), myself and our clerk.

Q101: So, all the above said persons knew about the purpose of visit of the Registrar office?

A: Yes, we knew it through our father-in-law.

Q102: At what time all the above said persons started to Registrar office?

A: It was in the evening. But I do not remember the exact time.

Q103: Whether it was after 4.00 p.m?

A: I do not remember.

Q104: Who dictated the contents of Ex.P5 and P12 to whom?

A: My father-in-law dictated the contents of Ex.P5 and P12 and it was typed by the typist in the Registrar office.

Q105: Where is the office of the typist who typed Ex.P5 and P12 located?

A: It was located at Virugambakkam. I do not remember the exact location.

Q106: Whether the contents of Ex.P5 and P12 directly typed according to the dictation given by your father-in-law or it was noted down before typing it?

A: The draft was taken down before typing of the above said documents.

Q107: Since it was drafted before typing, it might have been corrected before typing the above said documents?

A: Yes.

Q108: Which document typed first whether Ex.P5 or P12?

A: I do not remember.

Q109: Who were all the attesting witness in Ex.P5 and P12?

A: In the Will my husband and one Kalaivani are the attesting witnesses. I do not remember who are all the attesting witnesses in Power of Attorney.

Q110: Whether you were present at the time of signing of your father-in-law as well as

the attesting witnesses in Ex.P5 and P12?

A: Yes.

Q111: Who is the attesting witness Kalaivani?

A: She is a known person to us.

Q112: How Kalaivani know about the execution of Ex.P5 and P12?

A: I do not know.

Q113: Can you state where did Kalaivani reside at that time and at present?

A: I do not know.

Q114: Whether you are going to examine Kalaivani as a witness in this case?

A: Yes.

Q115: Since you have stated that the draft was taken down before typing of the above said documents there would be no mistake/correction in the Ex.P5 and P12. Is it correct?

A: I have to peruse the Will and Power of Attorney to answer this question. After perusing Ex.P5 and P12 witness stated that there is no correction in the Will but there is a correction in the Power of Attorney.

Q116: (Ex.P12 is shown to the witness). What is the correction in Power of Attorney?

A: In Pg.Nos.2 there was a strike out and in Pg.No.5 also there was a strike out.

Q117: So, there is no corrections in the Will. Is it not?

A: Yes.

Q118: (Ex.P1 is shown to the witness). What is the Allotment Order No. mentioned in Ex.P1?

A: Letter No.K4/2345/94.

Q119: (Ex.P5 is shown to the witness). What is the Allotment Order No. mentioned in Ex.P5?

A: Odhukeedu Utharavu Aanai Enn.GT/A4/1850 K4/2345/94.

Q120: (Ex.P1 is shown to the witness). What is the Allotment Number in Ex.P1?

A: K4/2345/94.

Q121: (Ex.P5 is shown to the witness). What is the Allotment Number in Ex.P5?

A: GT/A4/1850 K4/2345/94.

Q122: (Ex.P12 is shown to the witness). What is the Allotment Number in Ex.P12?

A: GT/A4/1850 K4/2345/94.

Q123: I put it to you that the allotment order no. in Ex.P1 and the allotment order no. in P5, P12 are different.

A: Yes.

Q124: I put it to you that in Ex.P5 and P12 the allotment number was written in hand and not typed.

A: Yes.

Q125: (Ex.P5 and P12 are shown to the witness). I put it to you that in Ex.P5 and P12 there is no mention about the date of the allotment order.

A: Yes.

Q126: When did the registration started and completed approximately?

A: I do not remember.

Q127: Whether both Ex.P5 and P12 were registered in the same registrar office?

A: Yes.

Q128: Whether the Registrar who registered both Ex.P5 and P12 are one and the same person?

A: I do not remember.

Q129: I put it to you that since you were all along present in the Registrar office with your father-in-law at the time of registration of Ex.P5 and P12, you definitely know who is the Registrar at the time of registration of Ex.P5 and P12.

A: I do not remember.

Q130: (Ex.P5 is shown to the witness). What is the presentation of time mentioned in Ex.P5?

A: 5.00 p.m – 6.00 p.m.

Q131: (Ex.P12 is shown to the witness). What is the presentation of time mentioned in Ex.P12?

A: 5.00 p.m – 5.45 p.m.

Q132: So, both the documents are registered in the same time. What do you say?

A: Yes.

Q133: (Ex.P12 is shown to the witness). What is the name of the Registrar as per Ex.P12?

A: S.Kannan, Joint Sub-Registrar.

Q134: (Ex.P5 is shown to the witness). What is the name of the Registrar as per Ex.P5?

A: It was signed by Sub-Registrar. But the name was not visible.

Q135: Both the documents Ex.P5 and P12 registered in the same time, same Registrar office, the attesting witnesses and the executor are also same in both the documents. If so, how can two different Registrars registered and signed in both the documents separately?

A: I do not know.

Q136: (Ex.P5 and P12 are shown to the witness). In Ex.P5 and P12 the attesting witnesses are one and the same. What do you say?

A: Yes.

Time:.04.30 P.M.

Taken down in open Court, read over and explained to the witness and the same is admitted by the witness to be true and correct and signed before me.

ADDITIONAL MASTER-II