

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

Date: 03.02.2026
Time :11:35 P.M.

Name : Mrs.R. Vijayalakshmi (PW1)

Cross Examination by Mr.G.Jeremiah Learned Counsel for the Defendant
D5.

Solemnly affirmed:

Q38:(Ex.P6 is shown to the witness) Is this the application submitted by
your late father-in-law Munusamy?

A:Yes.

Q39:Ex.P6 is filed by you before this Court. Is it correct?

A:Yes.

Q40:Is Ex.P6 the original application filed before CMDA ?

A:No. It is a xerox copy of the application.

Q41:(Proof affidavit is shown to the witness) Please see Serial No.5 in List
of documents of your proof affidavit and tell the court what you have
described regarding Ex.P6?

A:It was mentioned as Ex.P6 is the original application filed before CMDA.
Witness adds: But it is the xerox copy of the application in which the
CMDA officials affixed the seal of CMDA for receipt of application
submitted by my father-in-law.

Q42:So, is it correct to state that Serial No.5 in List of documents of your
proof affidavit is incorrect?

A:Yes.

Q43: How do you have knowledge about what transpired between late Munusamy Naicker and CMDA in the year 1987 while submitting the application?

A: When my father-in-law wrote the WILL he gave all the documents pertaining to the WILL property to me and he informed me about the application.

Q44: So, your father-in-law informed you about the application. Is it correct?

A: Yes.

Q45: Your father-in-law did not inform you that your husband also applied for the shop in CMDA complex at Koyambedu?

A: I do not remember.

Q46: Is it correct to state that you have very selective memory that you tend to forget things which is against you and only to recollect the things which are favorable to you?

A: I deny.

Q47: How children did your father-in-law have?

A: 8 children. (4 sons and 4 daughters)

Q48: While executing a WILL (Ex.P5) in the year 1997, he has excluded all his children in the WILL. Is it correct?

A: Yes. Witness adds: But my father-in-law has written a WILL (Ex.P7) in favour of all the children in the year 1994.

Q49: Did your husband get share in the property based on the WILL (Ex.P7) executed in the year 1994?

A: Yes.

Q50:When your father-in-law executed a WILL(Ex.P7) in the year 1994 how many of his children were alive?

A:3 sons and 4 daughters were alive at the time of execution of the WILL in the year 1994.

Q51:So, the deceased son was excluded in the WILL(Ex.P7). Is it correct?

A:Yes, but the legal heirs of the deceased son Kabali were included in the WILL(Ex.P7).

Q52:On the date of execution of the WILL (Ex.P5) your father in-law had a widow daughter-in-law and a fatherless minor grand daughter. Is it correct?

A: Yes.

Q53:Since you have already stated that your father-in-law had informed you of all the transaction at the time of execution of the WILL(Ex.P5) did he also informed you why he excluded the widow daughter-in-law and a fatherless minor grand daughter in Ex.P5?

A:Yes my father-in-law informed me that in the year 1994 my father-in-law had bequeathed 33 cents of land in Porur, Chennai in favour of Sasikala Daughter of Santhi through the WILL (Ex.P7). Similarly as per the WILL(Ex.P7) my father-in-law bequeathed 6 cents of property in favour of Santhi at Porur, Chennai and also 2 cents of land and house at Porur, Chennai.

Q54:(Ex.P23 is shown to the witness) Please see the schedule of property and tell this court how much extent were settled in favour of Santhi (D5)?

A: 6 cents of land at Porur.

Q55:Is this the property settled in favour of Santhi by your father-in-law?

A: Yes.

Q56:(Ex.P24 is shown to the witness) Please see the schedule of property and tell this court how much extent were settled in favour of Santhi (D5)?

A: As per schedule of property it was mentioned as 7.89 cents which was equally divided between his 3 sons and a Widow daughter-in-law wife of Kabali(Deceased).

Q57:You have earlier stated that your father-in-law has settled 33 cents in favour his Grand daughter (Sasikala)?

A: Yes.

Q58:Have you produced any document to substantiate your claim that your father-in-law has settled 33 cents in favour his Grand daughter (Sasikala)?

A:No. I have not filed any such document.

Q59:(Ex.P23 & P24 are shown to the witness) Who has executed Ex.P23 & P24?

A:Hariprasad executed EX.P23 & Ex.P24.

Q60:So, in your earlier statement you have stated that your father-in-law Munusamy has executed Ex.P23 & Ex.P24 in favour of Santhi (D5) and settled the property is false?

A:I deny.

Q61:Is it correct to state that your father-in-law did not settle any property in favour of Santhi in the light of Ex.P23 & Ex.P24?

A:I deny. Witness adds: In the year 1994 my father-in-law executed a WILL in favour of Sasikala and after her demise, the property was devolved upon her mother Santhi.

Q62:(Ex.P7 is shown to the witness) Please see Ex.P7 WILL executed by Munusamy in favour of his grand daughter Sasikala and tell what are all the property bequeathed in favour of Sasikala?

A:In Survey number 22/1, an extent of 7.89 cents of land at Porur, Chennai bequeathed in favour of Narayanan, Aathimolam, Sasikala D/o Kabali and Selvakumar and in survey 22/1, sub division Number 22/3 at Porur an extent of 0.06 cent of land was bequeathed in favour of Sasikala and in Survey number 28/1 at Porur an extent of 0.33 cent of land was bequeathed in favour of Sasikala.

Q63:(Ex.P7 is shown to the witness) In Ex.P7 which schedule has been allotted to Sasikala?

A:C-Schedule.

Q64:Please see C-Schedule and state the properties those were listed there?

A: In Item number 1 : In survey 22/1, sub division Number 22/3 at Porur an extent of 0.06 cent of land and in Item Number 2 : In Survey number 28/1 at Porur an extent of 0.33 cent of land were mentioned.

Q65: (Ex.P7 is shown to the witness) Please see Ex.P7 and say whether any property were bequeathed to Santhi (D5) by your late father-in-law Munusamy?

A:No.

Q66:Can you enlighten the court as to why your father-in-law bequeathed the Shop No.B-37 at Koyambedu alone in favour you in Ex.P7?

A:In the year 1995 I gave birth to Triplet, so in order to support me financially my father-in-law bequeathed the aforesaid shop in my favour.

Q67: As per your earlier statement when you delivered the Triplet your husband was working as a salesman at pharmaceutical. Is it correct?

A:I do not remember.

Q68:Is it correct to state that you got married in the year 1992?

A:Yes.

Q69:Is it correct to state that you cannot recollect your family situation after 1992?

A:I deny. Witness adds: Since I gave birth to triplet I cannot recollect what had happened in the year 1995 due to the difficulty I faced during pregnancy and delivery.

Q70:Before delivery do you know that you were going to give birth to triplet?

A:No.

Q71:In answer to Q25 while D3 counsel cross examined you, you have stated that you husband was carrying on Vegetable business at Koyambedu Market in the year 1994. Is it correct?

A:Yes.

Q72:In your proof affidavit you have stated that you and your husband were paying the initial installment and costs towards the shop allotted to your father-in-law. Is it correct?

A:Yes.

Q73:When did you take possession of the shop allotted to your father-in-law?

A:In the year 1994.

Q74:That is from the date of allotment, is it so?

A:Yes.

Q75:Is it correct to state that at the time of the birth of your children, you and your husband having income from 2 shops at Koyambedu Market?

A:No.

Q76:But you have stated that your husband was having a shop at Koyambedu Market in the year 1994 and your father-in-law was also allotted a shop at Koyambedu Market. Is it correct?

A:Yes.

Q77:You have stated that your husband was doing Vegetable business at Koyambedu Market in the year 1994. Is it correct?

A:Yes.

Q78:Was there any income from that business?

A:I do not know.

Q79:Is it correct to state that your husband has lost his job in the year 1995?

A:Yes.

Q80:Can you tell the court how your family were survived without any income from the shop and salary?

A:My parents were supported us.

Q81:From the time of your marriage until you left India you were residing at your father-in-law's house. Is it correct?

A:I have resided in my father-in-law's house for 5 year and after that for 3 years I was residing at Kodambakkam.

Q82:Is it correct to state that you were residing in your father-in-law's house from 1992 to 1998?

A:I do not remember the exact year.

Q83:Can you recollect atleast where have you resided while your father-in-law executed Ex.P5 WILL?

A:We were residing in my father-in-law's house.

Q84:(Ex.P5 is shown to the witness) As per Ex.P5, at the time of execution of Ex.P5 your father-in-law was aged about 85 years. Is it correct?

A:Yes. As per Ex.P5, at the time of execution of Ex.P5 my father-in-law was aged about 85 years.

Q85:At the time of execution of Ex.P5 even though he was 85 years old he was hale and healthy in spite of his age. Is it correct?

A:Yes. He was hale and healthy.

Q86:Shortly after the execution of EX.P5 WILL, you and your family shifted to Kodambakkam. Is it correct?

A:No.

Q87:So, your earlier statement you have stated that you left your father-in-law's house after 5 years of your marriage is incorrect?

A:Yes.

Q88:Can you tell this court in which year you left your father-in-law's house?

A:In the year 1999.

Q89:Is it correct to state that after you left your father-in-law's house, your father-in-law was staying alone?

A:No. He died in the year 1998.

Q90:(Ex.P5 is shown to the witness) Is this the WILL executed by your father-in-law?

A:Yes.

Q91:Does the WILL bear the date of exeuction?

A:Yes. 22.01.1997.

Q92:Please see the WILL the date “22” prescribed on the WILL?

A:Yes. The date “22” prescribed on the WILL.

Q93:The figure “22” has been inscribed in Pencil. Is it correct?

A:Yes.

Q94:Please see para 2 of the WILL the details pertaining to the shop are hand written in ink?

A:Yes.

Q95:Has any of the addition to the WILL been initialed by the Testator?

A:No.

Q96:Has the registration authority also made any endorsement regarding the addition/correction in Ex.P5 WILL?

A:No.

Time:01:30 PM

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