

BEFORE THE ADDITIONAL MASTER-III

HIGH COURT, MADRAS.

C.S.No.716 OF 2015

Date : 27.07.2026

Time : 11.55 A.M.

Name : Mrs. Nabel Ahmed @ Magdaline Edith Nebula(PW1)

Cross Examination by M/s. R.Ravindran, Learned counsel for the 1st defendant.

Solemnly Affirmed:

Q1: Do you know both Tamil and English?

A: Yes.

Q2: Is it correct to state that you and the 1st defendant separated on and from 04.05.2013?

A: Yes.

Q3: (Ex.P14 is shown to the witness) Is it correct to state that you signed Ex.P14 on 22.05.2013?

A: Yes.

Q4: (Ex.P9 is shown to the witness) Is it correct to state that under Ex.P14 D.V.C.No.224/2017 you have sought relief prayer (c) pertaining to subject sale deed dated 21.08.2012 under Ex.P9?

A: Yes. Witness adds : Because the violence was committed on me at the sale of the property mentioned in Ex.P9. I have claimed prayer (c) in D.V.C.No.224/2017.

Q5: Is it correct to state that the relief sought for under prayer (c) in Ex.P14 and the relief sought for in the present suit are same subject matter and distinct seeking relief?

A: Yes.

Q6: Is it correct to state that you have not issued legal notice immediately after the execution of Ex.P9 sale deed and the Ex.P12 was issued only after separation of plaintiff and the 1st defendant on 04.05.2013?

A: Yes. Witness adds: because I was under the control of the 1st defendant and we were living as a family with our children, I did not want to get separated from my children and that was the reason why I issued the notice after separation and I was also not financially sound.

Q7: Is it correct to state that at the time of issuing the notice you became financially sound as per your answer to question no.6?

A: I deny. Because my parents helped me with the funds.

Q8: Is it correct to state that as per question no.7 your parents have not helped you prior to Ex.P12?

A: They helped me. But they did not have funds to file a civil suit formally.

Q9: Is it correct to state that you have not stated in your plaint that your parents helped for funding filing the present civil suit?

A: I am not sure. Witness adds: As I am staying along with my parents it goes without saying that they are helping me financially.

Q10: I put it to you that you have not stated anything about the answer given to question no.9 in your plaint.

A: I have already answered.

Q11: I put it to you that you are aware of the execution and registration of Ex.P9 on and from 14.08.2012 as stated by you in plaint para no.10.

A: I was aware of the registration because the 1st defendant was telling me about that. But I was not aware when and which date the registration was going to happen. The registration happened on 21.08.2012 on that morning only the 1st defendant told me to get ready for registration.

Q12: I put it to you that you have acquiesced the execution and registration of Ex.P9 is estopped from claiming in suit relief.

A: I strongly deny.

Q13: I put it to you that the above suit filed belatedly as counter blast of matrimonial dispute between you and the 1st defendant.

A: I deny. Witness adds: The property my mother had given to me was taken away by force and hence I have filed this suit.

Q14: Is it correct to state that you have not lodged any written complaint to the registration department and police department with respect to the alleged coercion, undue influence, force and fraudulent act committed by defendants in registering sale deed under Ex.P9?

A: I could not file because I was living with the 1st defendant out of fear and pressure that I might lose my kids.

Q15: Is it correct to state that you have not filed any bank statement pertaining to the joint account maintained by you and the 1st defendant prior and after execution of Ex.P9 sale deed?

A: I have filed the bank statement post the Ex.P9 sale deed.

Q16: I put it to you that you have not filed any bank statement as stated by you.

A: I deny.

Q17: Do you have PAN card?

A: Yes.

Q18: Is it correct to state that you have not filed you were income tax returns subsequent to Ex.P9 sale deed?

A: I have not filed.

Q19: I put it to you that you are with holding the valid proof of transaction documents pertaining to the sale consideration under Ex.P9 and deliberately not filed before this Court with malafide intention

A: I strongly deny. If needed I can produce.

Q20: I put it to you that you have executed and registered the sale deed out of free will after receipt of entire sale consideration.

A: I strongly deny. Witness adds: I was forced by the both the defendants against my free will and consent.

Q21: (Plaint, Ex.P12 legal notice and Ex.P14 D.V.C. Affidavit are shown to the witness) Is it correct to state that you have not mentioned that about 10 persons of the 2nd defendant reached your house on 21.08.2012 morning and coerced to execute sale deed as stated in para 11 of the plaint was not stated in Ex.P12 and Ex.P14?

A: I have not mentioned the exact number of persons. Witness adds:
Because at the time of filing the DVC Affidavit I was under extreme stress and I did not go into the details. I have not specifically stated about D2 in Ex.P12 and Ex.P14.

Q22: I put it to you that you executed and registered Ex.P9 sale deed in the Sub-Registrar office, affixed your photo and thumb impression in Ex.P9 and the register maintained in the Sub-Registrar office.

A: I deny. The whole process happened in small typist office, the papers get ready, the photo was affixed already and I was asked to put my thumb impression nobody asked my consent.

Q23: Is it correct to state that you have not stated the address of the alleged typist office in your pleadings?

A: I do not know the place where the typist office is located. Thereafter when I went and look for the office I found it to be a play-ground.

Q24: Is it correct to state that you have not raised any written objection to the authorities concerned after execution of Ex.P9 sale deed to the transfer of the property tax, patta, water tax and electricity in the name of 2nd defendant?

A: I did not give any written objection. Witness adds: As stated earlier it was all handled by the 1st defendant, so my objection would not matter.

Q25: Is it correct to state that you have not filed any proof to show that the market value of the subject property is more than Rs.1,10,00,000/- which is the sale consideration amount?

A: No, I have not filed. Witness adds: 1st defendant handling the matter. The property is worth more than Rs.2,50,00,000/- in 2012.

Q26: Is it correct to state that you have not mentioned in your plaint that the market value of the subject property was at Rs.2,50,00,000/- in 2012?

A: I have not mentioned in the plaint. Witness adds: But I have stated in my Proof Affidavit and my earlier deposition and DVC Affidavit.

Q27: Is it correct to state that you have not paid the property tax, water tax and electricity charges after execution of Ex.P9 sale deed?

A: I am not aware. As I have stated the 1st defendant was handling everything.

Q28: Is it correct to state that the physical possession of the subject property is with the 2nd defendant from the date of Ex.P9 sale deed till date?

A: I am not aware.

Q29: I put it to you that the present suit is most vexatious one.

A: I strongly deny.

Q30: Is it correct to state that you have not filed any proof to show that under coercion, force, undue influence you have executed Ex.P9 sale deed?

A: How can I have proof when the 1st defendant was my husband.

Cross Examination : Nil

Time : 01.05 P.M.

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

ADDITIONAL MASTER-III