

BEFORE THE ADDITIONAL MASTER-III
HIGH COURT, MADRAS.
C.S.No.716 OF 2015

Date: 22.04.2025

Time: 12.50 P.M

Name : Mrs. Yasmin Sultan (PW4)

Continuation of Chief Examination by Mr.P.S. Ganesh for M.Praveen Kumar, Learned counsel for the Plaintiff.

Solemnly Affirmed:

Q81: Is it correct to state that the schedule mentioned property is originally belongs to the mother of the plaintiff?

A: Yes.

Q82: Is it correct to state that only at the request of the 1st defendant the plaint schedule property was settled in favour of plaintiff?

A: I do not know.

Q83: Do you know about the sale agreement executed by plaintiff and D1?

A: I do not know.

Q84: I put it to you that that from the sale amount D1 settled the sum of Rs.2,18,500/- in favour of you and Rs.3,23,500/- in favour of your mother on 08.11.2012.

A: I deny.

Q85: I put it to you that after the sale of the plaint schedule property some other properties were purchased in the name of your father and mother.

A: I do not know.

Q86: Are you aware of the properties name of your father and mother?

A: Yes.

Q87: Can you tell this Court about the particulars of the properties of your parents?

A: House in Triplicane and Flat in Mylapore.

Q88: Whether your brother or your parents purchased any properties in your name?

A: No.

Q89: Whether you purchased any properties on the basis of power of attorney executed by D1 to you?

A: Yes. I purchase the Kolathur property in my name and it has been subsequently changed by my brother (D1) in his name.

Q90: Is it correct to state that D1 changed Kolathur property in his name after the sale of Rajan Nagar property?

A: I do not know.

Q91: I put it to you that from May 2012 your brother separated his wife, plaintiff and residing with his parents.

A: I deny. Witness adds: He was staying in separate rented house in Kolathur.

Q92: When did your brother came to your parents house after vacating the rented house?

A: 2 or 3 years later he vacated the rented house and residing along with my parents.

Q93: When and where did you met the plaintiff intimating about D1's remarriage?

A: In her parent's house. I do not remember the year.

Q94: When did your brother D1 pronounce Talak as per your custom?

A: I do not know.

Q95: Do you know whether your brother got married after giving Talak?

A: I do not know.

Q96: What is your brother's second wife name?

A: Tarranum Khan.

Q97: Have you enquired whether your brother legally got divorce before his second marriage?

A: No.

Q98: Whether your brother's second marriage solemnized in the presence of your parents?

A: No.

Q99: Whether your brother visited to your house along with his second wife and children?

A: Yes.

Q100: Do you know where did your mother went and signed as a witness in the Sale Deed of the plaint schedule property?

A: I do not know.

Q101: When did you came to know about the property sold out by Nabeela?

A: After the sale.

Q102: I put it to you that your brother handed over the sale price of suit schedule property to your parents.

A: I deny.

Q103: I put it to you that from the sale price of suit schedule property, some other properties were purchased in the name of your parents.

A: I deny.

Q104: Do you know about that loan was taken to put up the construction in Rajan Nagar property?

A: Yes. But I do not know the details of the loan transaction.

Q105: Are you aware that the pledging of jewels of Nabeela to put up the construction in Rajan Nagar property?

A: I do not know.

Q106: I put it to you that you and your husband went to Nabeela's house at the time of execution of Sale Agreement.

A: I deny.

Q107: When did your mother told about signing as a attesting witness in Sale Deed?

A: After the execution of the Sale Deed.

Q108: Whether your father went along with your mother for execution of the Sale Deed?

A: No.

Q109: I put it to you that your brother D1 has separated from plaintiff after the sale of Rajan Nagar property.

A: Yes.

Q110: Whether any criminal complaint lodged by Nabeela against you, your brother and your parents before or after the sale and enquired by police?

A: I do not know.

Cross Examination by M/s. K. Hariharan, Learned counsel for the 1st defendant:

Q1: (Ex.P9 is shown to the witness). Do you know who signed as the first witness in Ex.P9?

A: Yes, she is my mother.

Q2: When did your mother told about signing as a attesting witness in Sale Deed?

A: After the execution of the Sale Deed.

Q3: Whether your mother told anything for what purpose she signed as a witness?

A: Yes. As a attesting witness.

Q4: Who called your mother to sign as a attesting witness in Ex.P9?

A: Nabeela and D1.

Re-Examination:

Q1: Whether plaintiff and D1 requested your mother to be a witness in your presence?

A: No.

Time : 01.30 P.M.

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

ADDITIONAL MASTER-III

BEFORE THE ADDITIONAL MASTER-III
HIGH COURT, MADRAS.
C.S.No.716 OF 2015

Date: 22.04.2025

Time: 02.30 P.M

Name : Mrs. Habeed Unissa (PW5)

Age : 75 Years

Husband's Name : Mr.Ashfag Ahmed

Residential Address : No.65, Lal Begum Street, Triplicane,
Chennai – 600 005.

Chief Examination by Mr.P.S. Ganesh for M.Praveen Kumar, Learned counsel for the

Plaintiff.

Solemnly Affirmed:

Q1: What is your educational qualification?

A: PUC.

Q2: Where and what you are employed as?

A: Presently I am a pensioner. Lastly I worked as Administrator Officer, Income Tax Department.

Q3: What is your husband's occupation?

A: He was working as a Superintendent in Southern Railways.

Q4: Are you aware of the facts of this case?

A: Yes.

Q5: Who is D1 to you?

A: He is my first son.

Q6: Do you know who is D2?

A: I do not know.

Q7: How many children for you other than D1?

A: Only one daughter.

Q8: Whether you are staying in the same address which you have given before this Court?

A: Yes.

Q9: Whether D1 has share in the Triplicane property?

A: Yes.

Q10: Is it correct to state that D1 married plaintiff after she converted her religion from Christianity to Muslim?

A: Yes.

Q11: Do you know about the marriage happened between plaintiff and D1?

A: I do not know.

Q12: How many years later you came to know about the marriage happened between plaintiff and D1?

A: I do not know the exact date. But it is very long back.

Q13: (Ex.P5 is shown to the witness). Is it correct to state that Ex.P5 is the reception invitation of plaintiff and D1 arranged by your family?

A: Yes, in the year 1999.

Q14: Are you aware where the plaintiff and D1 resides before reception held by your family?

A: No.

Q15: Is it correct to state that your daughter went to the residence of plaintiff and D1 before reception held by your family?

A: No.

Q16: Where is your relative Zareen resides?

A: She is my brother-in-law's daughter. Initially she resides with us now after the construction of her own house she is staying behind our house.

Q17: Whether Zareen studied in St.Antony's convent?

A: Yes.

Q18: I put it to you that while the plaintiff visited to your house to see Zareen, she came

to know your son D1.

A: She visited to my house but I do not know whether there is any relationship with my son.

Q19: Is it correct to state that your daughter also knows very well about the plaintiff?

A: Yes.

Q20: Whether plaintiff and D1 came to your house and staying with you after the reception conducted by you?

A: Yes.

Q21: Is it correct to state that you were all jointly living in Triplicane house?

A: Yes.

Q22: Is it correct to state that plaintiff and D1 was staying in the 3rd floor of your house?

A: Yes.

Q23: When your daughter came to your house after plaintiff and D1's marriage?

A: In the year 2004.

Q24: Whether your son was here while your daughter come to Triplicane in the year 2004?

A: No.

Q25: When did your son D1 went to USA?

A: In the year 2005.

Q26: Do you know when the children was born to plaintiff?

A: First son was born in India in the year 2000 and the second son was born in USA.

Q27: Whether plaintiff and D1 were jointly went to USA or separately?

A: They went jointly.

Q28: When did your son came to India after the completion of his contract period?

A: I do not know the year.

Q29: Is it correct to state that your son and plaintiff were staying in a rented house at Kulathur?

A: Yes.

Q30: Is it correct to state that the plaintiff handed over her jewels to you and your husband after reception?

A: No.

Q31: How many families residing in the 3rd floor of your house?

A: Plaintiff's family and cousin Afroz Ahmed were residing.

Q32: Who was residing in the 2nd floor of your house?

A: Myself and my husband and three cousins family of my husband.

Q33: Can you state the names of the cousins mentioned above?

A: Ashraf Ahmed, Afzar Ahmed, Amjad Ahmed and their family.

Q34: Who was residing in the ground floor and 1st floor of your house?

A: Both were let out.

Q35: When did you changed the RCC roof from asbestos roof in 3rd floor?

A: In the year 1994.

Q36: Whether you have put up any asbestos roof in the 4th floor?

A: I do not remember the period.

Q37: Who was residing in the 4th floor while the plaintiff and D1 staying in the 3rd floor?

A: It was used as a prayer hall.

Q38: Is it correct to state that the Kulathur property is the ancestral property of plaintiff's mother?

A: Yes.

Q39: Whether your son gave power of attorney to your daughter before going to USA?

A: Yes.

Q40: Whether your daughter purchased any property using the power of attorney which was executed by your son?

A: No.

Q41: Do you know when was the house constructed at Rajan Nagar?

A: I do not know.

Q42: Whether you performed any house warming ceremony as per your custom?

A: Yes.

Q43: Whether you and your husband have any other property apart from Kulathur property?

A: Yes. We also have property at Mylapore.

Q44: Are you having any relatives in the name Azeez Ahmed?

A: Yes, he is my father-in-law.

Q45: Do you know Lovely Joshua?

A: Yes.

Q46: Is it correct to state that you have entered into a sale agreement with Lovely Joshua?

A: I do not know. But my son got the power of attorney from me.

Q47: Why did your son got power of attorney from you?

A: For the purpose of purchase of the property, my son got power of attorney in my name.

Q48: (Photocopy of the Agreement of Sale dated 30.08.2012 is shown to the witness).
Can you identify your signature?

A: The signature on the left side is mine.

Q49: Whether your son purchased any property using the power of attorney executed in your favour?

A: No.

Q50: Do you know from which bank they obtained for construction at Rajan Nagar property?

A: I do not know.

Q51: What is the reason for staying separately after coming of your son and plaintiff from USA?

A: They do not want to to reside with us. So, they went separately.

Q52: Do you know that your son has property in Ambattur?

A: I do not know.

Q53: Whether your son doing real estate business after coming from USA?

A: Yes.

Q54: Whether the mother of plaintiff has executed settlement in the name of plaintiff by the compulsion of your son?

A: I do not know about the settlement.

Q55: When you came to know about the sale of Rajan Nagar property?

A: I was residing at Rajan Nagar property with my son at the time of sale of the

property.

Q56: Whether your husband and daughter came to Rajan Nagar property?

A: Once they came for a function after that they did not come.

Q57: Do you know the financial capacity of your son?

A: I do not know. I will not ask about that.

Time : 03.20 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