

BEFORE THE ADDITIONAL MASTER – II
THROUGH VIDEO CONFERENCE
HIGH COURT, MADRAS

T.O.S. No. 33 OF 2015

Date : 14.08.2025

Time : 11.35 A.M.

Name : Mr.Ravichandran Shanmugam (DW1)

DW1 Examined in Chief by A.Asokan Learned Counsel for the Defendant

Solemnly affirmed:

In continuation of my chief examination the following documents are marked as exhibits.

Ex.D1 is the certified copy of the Settlement Deed dated dated 20.06.2001.

Ex.D2 is the certified copy of the encumbrance certificate for the period from 01.01.2000 to 04.08.2015

Time:11.40 A.M.

Taken down through video conference read over and explained to the witness and the same is admitted by the witness to be true and correct and signed.

ADDITIONAL MASTER-II

BEFORE THE ADDITIONAL MASTER – II
THROUGH VIDEO CONFERENCE
HIGH COURT, MADRAS
T.O.S. No. 33 OF 2015

Date : 28.08.2025

Time : 01.00 P.M.

Name : Mr.Ravichandran Shanmugam (DW1)

DW1 Examined in Chief by A.Asokan Learned Counsel for the Defendant

Solemnly affirmed:

Q1: What is your educational Qualification?

A: B.E mechanical Engineering

Q2:In which college did you complete your Engineering?

A:BMS College of Engineering, Bangalore.

Q3:Are you well versed in English?

A:Yes.

Q4:What is your designation and where are you working?

A:I am a quality control Engineer at International fire certification in Dubai.

Q5:For how long have you been working for the said company?

A:For 10 years.

Q6:(Ex.P1 is shown to the witness)Is this the WILL executed and registered at registered office Anna Nagar under the document number 78 of 2005?

A:Yes.

Q7:Is it correct to state that the said WILL was executed in favour of your mother Rajeswari to hold a life interest and after her demise the will 1st item of this schedule of WILL property to be passed to your elder sister Premakumari and the 2nd item of the Schedule of WILL property to be passed to Vishnu Dhutta S/o S.Sridhar, Who is your younger brother?

A:Yes. It is written in the WILL.

Q8:(Ex.P1 is shown to the witness) Have you subscribed your signature as the 1st attesting witness?

A:Yes. Witness adds: 2nd witness is my brother-in-law. I was forced to subscribed my signature as the attesting witness by my father in registrar office. At the time of signing, I was not aware of the contents of the WILL.

Q9:Is it correct to say that your brother-in-law is the 2nd attesting witness?

A:Yes. Who is the husband of the beneficiary.

Q10:I put it to you that you have only prepared the WILL in English language with the help of typist at the request of your father (Counsel for the Defendant side objected the question there is no pleadings in this regard)

A:I deny. I am not aware of the contents of the WILL. I am later came to know that the WILL was prepared by the 2nd attesting witness C.P.Rajakannu who is the husband of my sister. Who is also a beneficiary of the WILL.

Q11:Are you aware of the practice, in the registrar office the official WILL ask the witnesses whether they are aware about the contents of the WILL?

A:I am not aware of the practice and no one asked me.

Q12:You are lying about the fact that you are not aware of the practice and no one asked you?

A:I deny.

Q13:Where is the original of the document of Ex.D1 & Ex.D2 which is the settlement deed and Encumbrance certificate?

A:I have given the original Settlement deed to my father when he was alive.

Time: 02:10 PM

Taken down through video conference read over and explained to the witness and the same is admitted by the witness to be true and correct and signed.

ADDITIONAL MASTER-II

BEFORE THE ADDITIONAL MASTER – II
THROUGH VIDEO CONFERENCE
HIGH COURT, MADRAS
T.O.S. No. 33 OF 2015

Date : 10.09.2025

Time : 01.20 P.M.

Name : Mr.Ravichandran Shanmugam (DW1)

DW1 Examined in Cross by N.N.Kareem Learned Counsel for the Plaintiff

Solemnly affirmed:

Q14:You have stated in the last occasion that your father executed a settlement deed in your favour giving 975 Sq. Ft land in the larger extent of the suit property. When the original settlement deed was given to your father?

A: At present it is in my possession.

Q15: It was given to your father and yourself to a building promoter. Is it correct.?

A:I deny. I have shown the documents to the promoter and I got it back.

Q16:The document is with whom at present and where?

A:At present the original settlement deed is with me.

Q17: With me means at Dubai or in Chennai?

A:It is at Chennai.

Q18:Then why you have not marked the original document in this case?

A:I thought the certified copy is enough. Since it is a registered document.

Q:19: Can you produce it now for verification?

A: The document is at Chennai and I am living in Dubai I have to travel to Chennai to produce the document it need time.

Q20: I put it to you that the settlement deed was already hander over by you to the builder (the joint venture) and your area also merged with the larger extent. That portion was not included in the case property plot 1 & 2 that is separate? (Counsel for the defendant objected the question on the ground there is no pleading in the written statement regarding this question)

A:I deny. The whole ground comprising 6270 Sq.ft. My possession is 975 Sq.Ft. The whole ground 6 Apartments were build by the builder.

Q21:What has been constructed on your 975 Sq.Ft?

A:It is an undivided share so we cannot ear mark separately what was build in 975 Sq.Ft and out of 6 apartments flat no. 1 and 3 was given to my father and myself. Because we gave join power attorney to construct the apartments. For the other 4 apartments myself and my father jointly executed sale deeds. So obviously I am the owner of one flat and my father is owner of another flat and we are the joint owners of all the 6 flats. Thats why we made sale deed for the other 4 flats also.

Q22:In the settlement deed the correct area is given with boundaries that is in a corner that cannot be used by the builder for construction of any building?

A:I deny. The builder has to answer for that. The flat was jointly promoted as a whole. The builder cannot promote without my portion.(975 Sq.Ft).

Q23:I put it to you that you have received Rs.26 Lakhs as consideration to surrender the land to the builder. You have surrender your share 975 Sq.Ft to the builder after receiving Rs.26 Lakhs through the account of SBI and your father is also one of the witness so the original settlement deed is with builder even now. You cannot produce the same at all. That is the reason you have not marked the original Settlement deed.

A:I deny. I did not get any payment from the builder.

Q24: Since you do not have any right in any portion of land you have signed 1st attesting witness in your father's registered WILL Ex.P1. What all you have stated is nothing but lie?

A:I deny. My father has no right to execute WILL because it is a joint property and the settlement deed is still valid. I have made a joint power of attorney with my father and sale deeds were jointly executed by myself and my father for flat Nos.2,4,5 and 6. The name of the apartment is Ragam Apartment. Ra for Ravi and gam for Shanmugam last three letters. It is the proof for the joint ownership. The WILL itself made by force in June 2005. The other witnesses are the beneficiaries (My sister's husband).

Time: 02:20 PM

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ADDITIONAL MASTER-II