

BEFORE THE ADDITIONAL MASTER-III
HIGH COURT, MADRAS.

T.O.S.No. 94 OF 2013

Date: 07.01.2025

Time: 12.50 P.M.

Name : Mr. K.V.Prakash (PW2)

Age : 84 Years

Father's Name : Mr. Vidhyapoornachari

Residential Address : Plot.No.1775, D.No.13, I Block,
1st Street, Anna Nagar West,
Chennai – 600 040.

Chief Examination by Mr.Srikrishna Bhagavan for M/s.P.Subba Reddy, Learned
counsel for the Plaintiff.

Solemnly Affirmed:

Q1: Which year did you enroll as an advocate?

A: In the year of 1962.

Q2: What was the office address while you practicing as an advocate?

A: My office address is High Court Chamber No.8, High Court Chambers, Chennai.
Presently Old Law Chambers No.11. Witness adds: When I enroll myself I was a junior
under Mr.S.Govindaswaminathan. Then thereafter I have joined Mr.John and Rao and I
was a junior under Mr.T.Ramprasatharao, Former Chief Justice of Madras High Court.

Q3: Whether the present residential address you give i.e.,Plot.No.1775, D.No.13, I

Block, 1st Street, Anna Nagar West, Chennai – 600 040 has been the same ever since?

A: No, this is my present address. My previous address was D.No.17, Avadhanapappayya Road, Choolai, Chennai. Before that I was in D.No.9, Manickachetty Street, Choolai, Chennai.

Q4: How do you know Mrs.Chengavalli Thayaramma who was residing at No.7, Kasichetty lane?

A: I do not know Mrs.Chengavalli Thayaramma.

Q5: How do you know Mr.Ranganathan who is the father of 3rd plaintiff, Sandhya?

A: I know Mr.Y.Ranganathan through his father-in-law Mr.G.Ramachandran who was my senior colleague in the profession.

Q6: Is it correct to state that you are the legal consultant for Mr.Y.Ranganathan and his family?

A: No, I was appearing for him at the request of his father-in-law Mr.G.Ramachandran who was my colleague.

Q7: (Ex.P8 is shown to the witness). Can you confirm whether that you have drafted the Ex.P8 document where your signature appears in the document as drafted by?

A: Yes, it is the Settlement Deed drafted by me for Mr.Ranganathan.

Q8: Is it correct that you were conscious of the details narrated in the document especially with respect to adoption of Mrs.Sandhya by Mr.Y.Ranganathan?

A: On the instructions of Mr.Ranganathan I have drafted the deed and handed over it to Mr.Y.Ranganathan. It is only a Settlement Deed.

Q9: (Affidavit of attesting witness of Mr.K.V.Prakash dated Dec 2008 is shown to the witness). Can you confirm whether it is the signature of you or not?

A: My signature was there. But there was a corrections and not initialed by me and no date in the affidavit. Witness adds: It seems to be signed by me before one Mr.Rameshkumar advocate. It seems to be a draft.

Q10: (Affidavit of attesting witness of Mr.K.V.Prakash dated Dec 2008 is shown to the witness). The handwriting mentioning in your residential address in the affidavit, can you confirm whether it is yours?

A: Yes, the handwriting looks like mine.

Q11: I put it to you that having submitted a sworn affidavit in 2008 you confirm the valid execution of the will dated 01.05.1971 by Chengavalli Thayaramma.

A: I deny. Witness adds: I have not signed any sworn affidavit in 2008 confirming the signing of the will of Chengavalli Thayaramma.

Q12: (Acknowledgement card signed by witness (You) along with notice is shown to the witness). Have you received this notice?

A: I do not remember. But I have signed in the Acknowledgement card.

Ex.P9 is the acknowledgement card of Mr.K.V.Prakash.

Q13: Have you replied to the notice dated 20.09.2023 which has been acknowledged by Ex.P9 acknowledgement card?

A: I do not remember to have received any notice. Witness adds: And I have not replied to anybody or not replied at all.

Q14: Are you aware when Mr.Y.Ranganathan died?

A: No, I do not remember.

Q15: (Ex.P1 Will is shown to the witness). Can you confirm your address and signature in Ex.P1 as yours?

A: My address was there but I do not remember to have signed in this document which is in Telugu.

Q16: (Ex.P1 Will is shown to the witness). Whether the 2nd attesting witness signature is yours or not?

A: Signature looks like me. But I never seems to signed in a document which was in the language unkonwn to me and someone's thumb impression was there.

Q17: (Ex.P1 Will is shown to the witness). Who were all present when you signed on this document Ex.P1?

A: I never signed in this Ex.P1 and there is no question of anyone be present. I do not know how my signature came to that paper.

Q18: I put it to you that you were fully aware of the execution of the Ex.P1, attested the same.

A: I deny.

Q19: I put it to you that you have been aware of the proceedings in TOS.94/2013, have signed the affidavit of the attesting witness.

A: I deny. Witness adds: I am not aware of any proceedings.

Q20: Previously, you had answered that the document which is now before the Court as the affidavit of attesting witness was signed by you. And now you are taking a different stand only to dis entitle the plaintiff.

A: I deny. It is not true. Witness adds: It is only a draft and affidavit uninitialed with lot of corrections.

Q21: I put it to you that you are only trying to mislead the Court by giving some false evidence to a certain extent.

A: I strongly object to it.

Q22: Is it correct that except for the uninitialed corrections in the affidavit you accept to every other fact stated in the affidavit?

A: I am not accepting the affidavit.

Q23: (Affidavit of attesting witness of Mr.K.V.Prakash dated Dec 2008 is shown to the witness). To whom did you hand over this attesting witness affidavit?

A: I did not hand over to anybody. It is only a draft.

Q24: What was the reason you left a alleged draft according to you signed by you?

A: I do not know.

Q25: Having submitted to the Court the witness affidavit you have confirmed the execution of the will in all forms?

A: I have not submitted any witness affidavit in the court.

Q26: When did you draft this witness affidavit?

A: I do not remember. Witness adds: There were typographical errors in the year of 2008 and the corrections made out in the year of 2013.

Q27: I put it to you that the OP was filed in the year 2008 with D.No.40936/2008 and subsequently OP was numbered as 85/2013 and that is the correction which you now claim to be there on the affidavit.

A: I deny that.

Time: 01.40 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

