

BEFORE THE ADDITIONAL MASTER-II

HIGH COURT, MADRAS

T.O.S.No.28 OF 2024

Date : 17.09.2026

Time : 01:05 PM

Name : Mr.K.Babukumar (PW1)

PW1 Cross Examined by Learned counsel for the 1st Defendant Mr.M.Ganesan.

Solemnly affirmed:

Q1: What is your educational qualification?

A:10th standard.

Q2: What is the name of your school?

A: Dr.Mahale Trust Matriculation School, Ayanavaram, Chennai.

Q3: In which year you have completed 10th standard?

A:In the year 1991.

Q4: Is it correct to state that Kasivelu is your father and Padmavathy is your mother?

A:Yes, it is correct.

Q5: Is it correct to state that Kasivelu, Padmavathi are blessed with 3 sons namely Babu Kumar, Saravana Kumar, Sasi kumar?

A:Yes, it is correct.

Q6: Is it correct to state that your father is a fruit merchant?

A:Yes, it is correct. He was selling the Banana.

Q7: Can you state the address of your father's business?

A: He was doing business from 1976 to 1993 at the address No.85, Mettu Street, Ayanavaram and simultaneously he was doing business at No.3, HMA, Street, Triplicane, Chennai from 1985 to 1998. From 1993 till his death (2018) he was doing business at 184/6, Mettu Street, Ayanavaram, Chennai.

Q8: Was there any name for the business of your father?

A: Yes, He was running the business in the name and style of P. Kasivelu & sons plantain.

Q9: Is it correct to state that he was maintaining a Bank account for his business?

A: No, He was maintaining a personal account in the bank.

Q10: In which bank he was maintaining the personal account?

A: Till 2014 he was maintaining his account at SBI, Ayanavaram Branch. After that he was also maintaining an account at UCO Bank, ICF Branch, Chennai.

Q11: Is it correct to state that was your father only operating the bank account?

A: No, it is not correct. The UCO bank agent namely Loganathan was collecting the money from my father and myself.

Q12: I put it to you that the Nationalized bank will never collect money through an agent and you are falsely deposing before this court.

A: I deny. I am having the proof for the same.

Q13: Is it correct to state that you have not filed any documentary proof to show that you had run the business in the name and style of P.Kasivelu & sons plantain along with your father?

A:I do not know. I have to verify with my counsel.

Q14: Is it correct to state that your mother also helped your father in the aforesaid business?

A:No, my mother was a housewife.

Q15: Is it correct to state that your father has run the business in a rental premises in all the three places ?

A: Yes, it is correct.

Q16: Is it correct to state that the rental agreement for the aforesaid three places in which your father was running business was in the name of your father and your father only paid the rental for the shops?

A: Yes, it is correct.

Q17: Is it correct to state that your father has owned two properties one is the subject matter of this suit (TOS.No.28/2024) and another at Mettu street, Ayanavaram?

A:Yes, it is correct.

Q18: Is it correct to state that your father has got a loan at SBI, for purchasing the suit property?

A:Yes, it is correct.

Q19: Is it correct to state that you have not signed in any loan papers/Agreements while getting loan from SBI, Bank for the purchase of suit property as a co-borrower or guarantor?

A: Yes, it is correct. I do not possess any account at SBI, at that time.

Q20: Do you aware for the suit property what was the loan amount obtained by your father?

A: Yes, I am aware. My father obtained Rs.12 Lakhs as loan to purchase the suit property.

Q21: Is it correct to state that the entire loan amount was repaid from and through the bank account of your father?

A:Yes, it is correct. Witness adds: I do not have any bank account at that time and all the monies from the business were deposited in my father's account.

Q22: Is it correct to state that you have filed any documentary proof to show that you have helped your father to running the business?

A: Yes, because the relationship between myself and my father required no documentary proof.

Q23: Is it correct to state that you have not filed any proof for the repayment of loan amount like Bank Challan or any other documentary proof to show that you have repaid the loan amount which was obtained by your father to purchase the suit property?

A: Yes, it is correct.

Q24: Is it correct to state that during the pendency of housing loan for the suit property the 1st defendant was working as consultant in a private company and earning salary?

A: Yes, it is correct. He was maintaining his family with the salary he earned. I was unmarried at that time.

Q25: I put it to you that on several occasions 1st defendant only had paid the loan amount from his salary.

A: I deny. It is wrong.

Q26: I put it to you that you have no permanent job and after completion of your studies you were running a wayward life.

A: I deny. I was helping my father in his business.

Q27: Can you say from which year to which year you was helping your father in the business?

A: From 1990 to till the death of my father I was helping/accompany my father in his business. Witness adds: I discontinued my 10th standard in the year 1990.

Q28: Whether you were helping your father in the business alone or you were staying with your father and helped him as well as in this business?

A: I was staying with my father and helped him in the business till his life time.

Q29: In which year you got married?

A: In the year 2004.

Q30: Is it correct to state that after marriage you were in separate family along with your wife?

A: No, I was staying with my wife in a separate portion but we (my father and myself) were staying in the same building and the cooking also same for all.

Q31: What is the address of the aforesaid answer?

A: No.2/95, Mettu Street, Ayanavaram, Chennai-23.

Q32: Is it correct to state that the aforesaid address is not the address of suit property?

A: Yes, it is correct. Witness adds: But that property is also the subject matter of another suit.

Q33: Is it correct to state that your father died in the house situated at No.2/95, Mettu Street, Ayanavaram, Chennai-23?

A: Yes, it is correct.

Q34: Is it correct to state that your father was having Aadhar Card, Voter ID, Ration Card in the aforesaid address?

A: Yes, it is correct.

Q35: Is it correct to state that your father was residing along with your mother in the aforesaid address (No.2/95, Mettu Street, Ayanavaram, Chennai-23)?

A: Yes, it is correct.

Time : 01:55 PM

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-II