

BEFORE THE ADDITIONAL MASTER-III
HIGH COURT, MADRAS.
CS.No.426 OF 2016

Date: 04.11.2025

Time: 02.44 P.M.

Name : Mr. Dr.S.Harikrishnan (DW1)

Continuation of Cross examination by Mr.A.V.Arun, learned counsel for the Plaintiff.

Solemnly affirmed:

Q38: Do you know the details of suit schedule A and B properties?

A: Yes.

Q39: Is it right that schedule A property is the house situated at K.K.Nagar?

A: Yes.

Q40: Is it right that schedule B property is located at Pachambakkam village, cheyyur Taluk?

A: Yes.

Q41: (Plaint is shown to the witness) Is it right that schedule B property is originally belonged to your grandfather?

A: It does not belong to my grandfather. It is belongs to father of my grandfather who is Seethapathy Naidu.

Q42: Is it right that these properties were partitioned by Ramanuja Naidu and Srinivasa Naidu?

A: No.

Q43: Who inherited this schedule B property?

A: Nandagopal Naidu and Srinivasa Naidu.

Q44: Is it right that after inheriting B schedule property in the family of Srinivasa Naidu and there is no partition in the family of Ramanuja Naidu and Srinivasa Naidu?

A: Yes. Witness adds: Prior to my partition there is no partition effected in the family of Ramanuja Naidu and Srinivasa Naidu.

Q45: (Ex.D4 is shown to the witness) In respect of schedule B properties the patta stands in the name of Seethapathy Naidu. Is it right?

A: Yes.

Q46: I put it to you that these properties under schedule B were inherited by Srinivasa Naidu and not acquired by him.

A: Srinivasa Naidu told me that properties were in loan. He cleared those loans and he acquired this property.

Q47: I put it to you that there is no loan over these properties and we were all ancestral properties at the hands of Srinivasa Naidu.

A: I deny.

Q48: Your father Srinivasa Naidu passed away on 03.11.2013 and till such time he was looking after the agricultural activities in Pachambakkam village.

A: Yes. Witness adds: I used to go there with him.

Q49: The plaintiff's first daughter was married in 2012. Did you attend the marriage?

A: Yes.

Q50: At that time Srinivasa Naidu also alive and he was also attended the above said marriage. Is it right?

A: Yes.

Q51: Plaintiff's second daughter married on 2017. Were you invited by the plaintiff?

A: I was not in my home when she came. So, I did not attend. She has filed the case against me in 2016. So, I didn't go.

Q52: Till she issued notice through her counsel for partition. The relationship between the plaintiff and yourself was cordial. Is it right?

A: Relationship was cordial only with me but not to others in the family.

Q53: I put it to you that she was cordial to everyone because she filed a suit for partition. You have turned inimical towards her.

A: I deny.

Q54: From Schedule B property the family getting agricultural income and earning money out of it. Is it right?

A: Yes.

Q55: Some properties were purchased in the name of your father. Is it right?

A: Yes. Witness adds: All of them are in Schedule C.

Q56: Likewise some properties were purchased in the name of your mother. Is it right?

A: No. Witness adds: Properties purchased in my mother's name through her self earning.

Q57: In your written statement you have not mentioned any independent income of your mother. Is it right?

A: Yes.

Q58: I put it to you that the properties which is mentioned in schedule D standing in the name of your mother were also purchased from the income derived from schedule B.

A: My mother was running a typewriting institute in the name of Sri Hari School of Commerce and the earnings which she has obtained income from the Typewriting institute. She used those income to purchase the property.

Q59: You have entered into a partition deed on 02.12.2000 with Srinivasa Naidu. Did you inform either the plaintiff or her husband?

A: Yes, I myself has informed.

Q60: Have you produced any documents to that this partition deed is informed to plaintiff and her husband?

A: I told them orally.

Q61: After this partition deed executed between yourself and your father the lands stood in the name of your father. Is it right?

A: The lands stood in my name I have paid the tax. The lands stood in my father's name he paid the tax.

Q62: I put it to you that there was no land allotted to your father in the partition deed.

A: No.

Q63: (Ex.P4 is shown to the witness) Is it right that the pattas stand in the name of Srinivasan in schedule B property mentioned in the partition deed?

A: Pattas stand in the name of Srinivasan in schedule B property prior to partition.

Q64: When did you change the patta in schedule B property?

A: I do not remember.

Q65: I put it to you that you changed the patta only after the death of Srinivasa Naidu.

A: No. Witness adds: I changed the patta before the death of my father.

Q66: Have you produced the patta which was changed in your name before this Court?

A: Yes.

Q67: (Ex.D1 to Ex.D40 are shown to the witness) I put it to you that you have not filed patta for the agricultural lands.

A: I deny. Witness adds: Patta is marked as Ex.D39.

Q68: (Ex.D39 is shown to the witness) Ex.D39 patta was issued in the year of 2022. Is it right?

A: It is only a computerized patta.

Q69: (Ex.D39 is shown to the witness) In respect of lands in Survey No.140/1,140/2,142/11,155/1 transferred only after the filing of the suit and likewise survey No.93/3 patta was transferred only after the death of your father. Is it right?

A: I deny.

Q70: (Ex.D39 is shown to the witness) Kindly see the last column of Ex.D39 the dates are mentioned when it was transferred in your name?

A: It is only a computerized patta. It does not mean that the patta was transferred on this date.

Q71: I put it to you that the patta in Survey No.156/1C was transferred only on 06.07.2018.

A: I would applied on that day. I do not know the date of transfer of patta but it was register earlier point of time.

Q72: (Ex.D36 is shown to the witness) Have you produced any document to show that the patta was transferred in your name immediately after 2000?

A: No. I have not produced any document.

Q73: (Ex.D37 is shown to the witness) This patta was issued after the death of your father. Is it right?

A: Yes, it was issued on 2014.

Q74: (Ex.D36 is shown to the witness) The tax paid under Ex.D36 was paid only in the year 2021 for the fasli years1430 and 1431. On 08.07.2015 for the fasli year 1420 to 1425 Is it right?

A: Yes.

Q75: You are enjoying the property of Adikesavalu Naidu as his adopted son. Is it right?

A: Yes. I am not an adopted son of Adikesavalu Naidu. But he has written as like in the document.

Q76: On 10.12.1985 Adikesavalu Naidu has executed a settlement deed as his adopted son. Have you accepted the settlement deed?

A: Yes. Witness adds: He claims that I am his adopted son but my parents did not give me for adoption. My father was working in Central Government for him also there is no need to give me in adoption. I am a single male child.

Q77: You have not disputed the settlement deed executed by Adikesavalu Naidu on 10.12.1985. Isn't it?

A: Yes. Witness adds: He was living with us since he had no other issues and his wife died before him. Adikesavalu Naidu wrote the document in favour of me.

Q78: When this document was executed his wife was alive. Isn't it?

A: No.

Q79: Have you filed any amendment in your written statement after accepting that you are the adopted son Adikesavalu Naidu?

A: No.

Q80: You have also not pleaded in your written statement about the documents which you have filed in Ex.D1 to Ex.D40. Is it right?

A: Yes.

Time : 03.40 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