

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

Date: 05.11.2025
Time: 02.34 P.M.

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

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

Solemnly affirmed:

Q81: When your father retired from MMTC?

A: In the year 1989.

Q82: Was he dependent upon the agricultural income?

A: No. Witness adds: After retirement he went for another job for 2 years.

Q83: I put it to you that your father dependent only on the agricultural income.

A: I deny. Witness adds: Because agricultural income was very meager. The description of categories of the land in Will itself shows the extent is very meager and not possible to earn more income from the agricultural lands. Moreover he accompanied with me and I also spent some amounts to him from my earning.

Q84: (Ex.D24,25,27 are shown to the witness) In all these documents Srinivasan was described as Vivasaya Jeevanam. Is it not?

A: Yes.

Q85: The Will which you have mentioned executed by Srinivasan has not been probated. Is it right?

A: Yes.

Q86: (Ex.D28 is shown to the witness) The Will which you have produced said to have been executed by Ethirajammal has not been probated. Is it right?

A: This Will is not executed in favour of me and was executed in favour of D2. The Will is not probated for the reason of it covers only agricultural

land.

Q87: (Ex.D19 is shown to the witness) This is the sale deed standing in the name of your mother in which she has been shown as Suga Jeevanam. Is it right?

A: Yes. Witness adds: But she is a diabetic patient.

Q88: (Ex.D19 is shown to the witness) I put it to you that your mother was dependent on your family income and she did not have any separate income and that is why she has been described as Suga Jeevanam.

A: No, my mother was running a Typewriting Institute in the name of Sri Hari School of Commerce and earn income. She was also employing staffs for typewriting institute to teach typewriting.

Q89: (Ex.D20 is shown to the witness) This is the sale deed standing in the name of your mother in which she has been shown as Vivasaya Jeevanam. Is it right?

A: Yes.

Q90: Have you produced any document to show that your mother had any independent income?

A: No.

Q91: I put it to you that all the properties were standing in the name of your mother were purchased from the family agricultural income.

A: I deny.

Q92: Are you going to be examine any witness on your side?

A: No. It is not necessary.

Q93: (Ex.D20 is shown to the witness) This is the sale deed standing in the name of Srinivasan in which he has been shown as Vivasaya Jeevanam. Is it right?

A: Yes.

Q94: I put it to you that all the properties either in the name of Mr.Srinivasan or in the name of Ethirajammal were purchased from the agricultural income of the ancestral lands.

A: I deny. Witness adds: There is no such ancestral lands. Everything was

acquired by Srinivasan and Ethirajammal from their own income.

Q95: Do you have gone on adoption to Adikesavalu Naidu you are not entitled to claim any property from Srinivasan and Ethirajammal?

A: I have not gone for adoption. Witness adds: In my proof affidavit has also stated the above said facts.

Q96: Is it right that in your written statement you are the adopted son of Adikesavalu Naidu?

A: Yes. Witness adds: It was signed by me. By mistake it was done without going through the contents of the written statement.

Q97: (Ex.P2 settlement deed is shown to the witness) Is it right that this document is executed by Adikesavalu Naidu in your favour dated 10.12.1985 describing you as a adopted son?

A: He has been describe as his adopted son. Neither my parents nor Adikesavalu Naidu never stated me as adopted son and did not obtain this document through legal heir certificate nor inherited through any means. He wanted to give the land in my name and executed documents in my name. At the same time giving jeweleries and silver vessels to the plaintiffs. As Adikesavalu and Srinivasan were living together.

Q98: Have you stated anything the about said statement in answer to the Q.No.97 in your written statement?

A: No, I did not think it was necessary.

Q99: This statement made by you all incorrect and that is why you have not stated in the written statement. Is it right?

A: I deny.

Q100: (ExP2 is shown to the witness) The properties mentioned in Ex.P2 under the settlement deed is accepted by you and you are in possession. Isn't it?

A: As he has given the documents I am in possession of the properties.

Q101: I put it to you that the plaintiff alone is the legal heirs of Srinivasan and Ethirajammal and you are not entitled to any of the properties left behind by them.

A: I have submitted two declarations of Mr.Srinivasan and he was stated me as his son. (Ex.D9 and Ex.D10)

Q102: (Ex.D9 and D10 are shown to the witness) These declarations given by Mr.Srinivasan to his employer about the dependent of Srinivasan. Isn't it?

A: In this document he described me as a son.

Q103: (Ex.D10 is shown to the witness) In Ex.D10 your relationship is not mentioned. Isn't it?

A: No.

Q104: I put it to you that you are the adopted son of Mr.Adikesavalu Naidu and you accepted the settlement deed executed by him. So you are not entitle for the property of Mr.Srinivasan.

A: I previously stated I am not for adoption.

Re-examination by Mr.Meenakshi Sundaram, Learned counsel for D1

Q1: In the course of your evidence your mother running a typewriting institute. How long your mother running the institute and when it was closed?

A: I have seen the institute from my childhood age i.e., in my 4 or 5 years of age. It was closed on 1997.

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

No cross.

Time : 03.25 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.

CS.No.426 OF 2016

Date: 05.11.2025

Time: 03.28 P.M.

Name : Mrs.H.Shyamala (DW2)
Age : 56 Years
Husband's Name : Mr.S.Harikrishnan
Residential Address : No. 32, 16th Avenue, Ashok Nagar,
Chennai – 600 083.

Chief examination by Dr.R.Meenakshi Sundaram, learned counsel for the 1st
and 2nd Defendants.

Solemnly affirmed:

I am the second defendant herein. I am well acquainted with the facts
and circumstances of this case. I am filing my proof affidavit today and the
same may be treated as part and parcel of my chief examination.

Time : 03.30 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