

BEFORE THE ADDITIONAL MASTER-III
HIGH COURT, MADRAS.

C.S.No.426 OF 2016

Date: 25.04.2024

Time: 12.55 P.M.

Name : Mrs. V. Kausalya (PW1)

Continuation of cross examination by Mr. R. Meenakshi sundaram ,
Learned counsel for the Defendant.

Solemnly affirmed:

Q: In this plaint, you have filed 15 documents to support your claim, is it correct?

A: Yes.

Q: In this plaint, you are the only legal heir to your father and not filed any legal heir certificate of your father Srinivasan?

A: I have given to my counsel.

Q: (Ex.P1 is shown to the witness) the partition Deed, Ex.P1 is filed by you. Is it correct?

A: Yes.

Q: (Ex.P1 is shown to the witness) Who are all the parties to this Partition Deed, Ex.P1?

A: 1. Seethapathy Naidu, 2. Ramanuja Naidu, 3. Nandagopal Naidu and 4. Srinivasa Naidu.

Q: I put it to you that inspite of giving the document, Ex.P1 to read, you have not reading the document properly. Even as per the document, the names are Ramanuja Naidu son Perumal Naidu @ Nanda gopal Naidu, Krishnaswamy Naidu@ Srinivasa Naidu whereas you are deliberately telling Nandagopal Naidu and Srinivasa Naidu to suit your case. (The counsel for plaintiff has objected that the document has been already filed and this document is of 1947 and the witness cannot be compul to read and give clarification of the document and also very difficult to read the

document)

A: I know only Seethapathy Naidu, Ramanuja Naidu, Nandagopal Naidu and Srinivasa Naidu. I do not know about Perumal Naidu.

Q: The document, Ex.P1 is filed by you to the court, if you are not able to read, the document filed by you to court how do you expect the other side or the Hon'ble court to read and pass orders?

A: I took Encumbrance Certificate. Through EC only I came to know about all these things.

Q: Did you file Encumbrance Certificate in respect of 1947 document in this court?

A: Yes.

Q: Under which exhibit number you have filed?

A: I do not remember now.

Q: (All exhibits are shown to the witness) Under which exhibit number you have filed the Encumbrance Certificate?

A: I have taken EC and I have given to my counsel and I am not able to pointout right now.

Q: In Ex.P1, carry the date 02.06.1947 whereas the copy given to the defendant shows the date as 14.06.1941. which is correct?

A: 02.06.1947 is correct.

Q: Why you furnished wrong copy to the defendant?

A: I did not know.

Q: I put it to you that you have deliberately filed the one document into court and given another document to the defendant.

A: I deny.

Q: As per Ex.P1, there was a partition between Seethapathy naidu his son Ramanuja Naidu and Ramanuja Naidu 2 sons namely Perumal naidu @ Nandagopal Naidu and Krishnaswamy Naidu @ Srinivasa Naidu have effected the partition among them. Do you agree or not?

A: I know only Srinivasa Naidu, my father and Nanda gopal Naidu, my uncle.

Q: Therefore I put it to you that you disown Ex.P1 as your father's document.

A: No.

Q: Then what is your answer to the question “As per Ex.P1, there was a partition between Seethapathy naidu his son Ramanuja Naidu and Ramanuja Naidu 2 sons namely Perumal naidu @ Nandagopal Naidu and Krishnaswamy Naidu @ Srinivasa Naidu have effected the partition among them. Do you agree or not”?

A: They have partitioned.

Q: Who are all partitioned?

A: During the life time of Seethapathy Naidu, in the year 1947, he executed the document in favour of his grand sons namely Srinivasa Naidu and Nandagopal Naidu.

Q: Did you file those documents in this court?

A: Yes.

Q: You have filed only one document in the year 1947 where your father name is referred as Krishnaswamy Naidu @ Srinivasan. If that is so what is the partition Deed you are referred among Seethapathy naidu, Ramanuja Naidu and his children?

A: It is the only document given by the Village Officer.

Time: 1.35 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

