

BEFORE THE ADDITIONAL MASTER-III
HIGH COURT, MADRAS.

C.S.No.670 OF 2016

Date: 16.10.2025

Time: 12.01 P.M.

Name : Mr. S. Saravanan (PW1)

Further Cross Examination by Mr.Adi Narayana Rao, Learned counsel for the Defendant.

Solemnly Affirmed:

Q21: (Ex.P6 is shown to the witness) Please see the statement of Mr.Ramesh in page No.39 of Ex.P6. Can you say whether he has claimed in the statement regarding knowing you from childhood?

A: No. Witness adds: This charge sheet filed by the police. As per the charge sheet it is not there.

Q22: (Plaint is shown to the witness) Can you say when suit item No.2 was obtained by defendant's father?

A: I do not know.

Q23: (Defendant side Doc.No.6 certified copy of the Sale deed executed by Balusamy and Mrs.Subashini, in favour of defendants father, dated 19.07.2007 is shown to the witness) Is this the sale deed based on which the defendant's father obtained Item No.2 of the suit property?

A: Yes.

Ex.D1 is the certified copy of the Sale deed executed by Balusamy and Mrs.Subashini, in favour of defendants father, dated 19.07.2007

Q24: Do you know when the defendant's father settled suit item No.2 property in favour of the defendant?

A: I do not remember.

Q25: (Defendant side Doc.No.8 certified copy of the Settlement deed executed by D.Parthasarathy, in favour of defendant Radhika, dated 21.10.2009 is shown to the witness) See the document and state, Is it correct to say that by virtue of this document defendant's father settled suit Item No.2 in favour of defendant?

A: Yes.

Ex.D2 is the certified copy of the Settlement deed executed by D.Parthasarathy, in favour of defendant Radhika, dated 21.10.2009

Q26: (Plaint is shown to the witness) See para 11 of the plaint. Is it correct to say that you have claimed when suit item 1 and 2 was given to the defendant was vacant plot at the time of execution of settlement deed (in favour of defendant Radhika)?

A: I do not know. I was in continuous travel between cities and countries.

Q27: (Ex.D2 is shown to the witness) Kindly see the schedule of Ex.D2 and state if it is mentioned that land and building was given to defendant by her father on 21.10.2009?

A: Yes, it is mentioned in this document. Witness adds: As per the document in which I am not a party.

Q28: Can you say when defendant settled suit Item No.2 in your favour?

A: I do not remember.

Q29: (Defendant side Doc.No.9 certified copy of the Settlement deed executed by defendant, in favour of plaintiff, dated 19.11.2009 is shown to the witness) Is this the document by virtue of which the defendant executed settlement deed in favour of you for suit Item No.2?

A: Yes. Witness adds: For the amount which I have paid this document is settled.

Ex.D3 is the certified copy of the Settlement deed executed by defendant, in favour of plaintiff, dated 19.11.2009

Q30: Kindly see the schedule of property in Ex.D3 state that land and building was settled vide above mentioned settlement deed dated 19.11.2009?

A: As per the document Yes. Witness adds: When I started to construct a

building it was a vacant land.

Q31: Have you mentioned in your plaint the date or month with year and when you started construction in suit item No.1 or 2?

A: In plaint para 14 it is mentioned in August 2008. Even before August 2008 I was transferring amount for construction to defendant's father.

Q32: Have you filed any document to denote that you were transferring money to defendant's father for construction of suit item 3 in suit Item No.1 and 2?

A: I have not kept all the records in black and white, because it is out of the trust anyone can show to the parter and the family members. To the best of my knowledge I have provided the records.

Q33: If on mutual trust you have transferred money? Can you explain why you obtained settlement deed for suit Item No.2 in your name from your wife?

A: I was in continuous travel. So the settlement deed was executed.

Q34: I put it to you that you are telling lie and the settlement deed (Ex.D3) was obtained under coercion and security from the defendant.

A: No.

Q35: I put it to you that suit item No.2 was with building and suit Item No.3 was constructed by defendant's father out of his own funds.

A: No. Witness adds: I provided the records to the best of my knowledge.

Q36: Were you directly involved in construction of suit Item No.3 if not who constructed suit Item No.3?

A: Defendant's father was in construction business. So he took the lead for construction for the amount paid by me.

Q37: (Plaintiff side documents Ex.P1 to Ex.P13 are shown to the witness) Have you filed any document to show that suit Item no.3 was rented out by you to tenants?

A: No. Witness adds: Out of mutual trust defendant was communicating with the tenants. Because I was in travel.

Q38: (Plaint is shown to the witness) Have you filed any document to show that there was an arrangement between you and the defendant to share the rent into 67:37% as mentioned in para 16 of your plaint?

A: Yes. Witness adds: I have provided the bank statement to relating to the above said question.

Q39: (Ex.P1 is shown to the witness) Does your bank statement provided as Ex.P1 denote that any amount was transferred based on the above arrangement?

A: Transaction dated 09.11.2011. Witness adds: I can also provide the statement of Karur Vysya Bank.

Time: 12.54 P.M

Continuation Time: 03.45 P.M

Q40: Can you say on 09.11.2011 what is the amount denoting to be transfer to the defendant?

A: Rs.30,000/-

Q41: (Plaint is shown to the witness) Kindly see the para 16 of the plaint and say what is the share of rent mentioned by you for defendants?

A: As per 2016 Rs.45,000/-

Q42: Have you mentioned anywhere in the plaint what was the rent for suit item 3 and from when the rent was received for suit Item 3?

A: No. Witness adds: It is after the construction in the property it is around end of 2010 or beginning of 2011.

Q43: Have you perused the written statement filed by the defendant along with the documents?

A: I do not remember.

Q44: I put it to you that suit item 3 was rented out by defendant by way of lease agreement dated 01.04.2010 and not as claimed by you.

A: No. Witness adds: It is a joint property and as a partner out of mutual respect she was talking to the tenants.

Q45: Have you denied the contention of written statement filed by the defendant by way of any reply statement?

A: I do not remember.

Q46: I put it to you that you have not denied the contention of written statement and counter claim filed by defendant since the same was true and correct.

A: I deny. It is not true.

Q47: (Plaint is shown to the witness) In para 13 of your plaint it is mentioned that after getting estimation for the proposed construction of suit item No.3 in suit item No.1 and 2 will cost around Rs.60,00,000/- . Have you filed any documents denoting the said estimation to substantiate the same?

A: No. Witness adds: I provided the actual money spent for the actual construction of the building.

Q48: I put it to you that the story of estimation was invented by you to usurp the defendant's property i.e., suit item No.1,2 and 3.

A: I deny. Witness adds: Whole issue arise because of defendant being arranged Hooligans and attempt to murder me.

Q49: I put it to you that the criminal case was invented by you and your friend Ramesh in order to foist false case and to grab the suit properties which belongs to the defendant and that is why Mr.Ramesh also absconded from entering into witness box in the said case.

A: No. Witness adds: The whole truth came to limelight during police investigation and police analysing CCTV footages and call records.

Q50: I put it to you that you are giving false evidence and the said case is still pending trial.

A: I Deny. Witness adds: I am not giving false evidence but the case is pending before trial court.

Q51: Is it true that suit item 1 and 2 and also suit item 4 belongs to defendant?

A: No. Witness adds: That is why I filed this case and pending.

Q52: Have you filed any document such as sale deed, gift deed or settlement deed denoting that the suit item 4 property does not belong to the defendant?

A: Land in the name of defendant. I have done the construction for the building and spent whole money for item No.4. I am not claiming the land of item No.4.

Q53: (Proof affidavit is shown to the witness) In para 15 of your proof affidavit you have given alleged details of expenditures made for construction of suit item No.3. Similarly have you given any details pertaining to the date the amount paid towards the alleged defendants share of rent being 37% in suit Item No.3.

A: No. Witness adds: She attempt murder me after just when the construction was about to finish.

Q54: I put it to you that you are telling lies and since there was no such arrangement the details are not provided and neither such money was provided to the defendant from the beginning of renting out the property in the suit item 3.

A: On mutual trust I don't have this records black and white but the same can be constitute from Ex.P1 and also can provide the Karur Vysya or Karnataka bank statement. I do not remember the bank exactly.

Q55: I put it to you that only the expenditures of the child's education, driver were transferred by you and no money in the name of share of 37% was provided and the general expenditure as stated above sent by you is now twisted as 37% share.

A: No. Witness adds: Of late in 2015 and in 2016 rent was directly paid to the defendants.

Q56: The defendant has filed the rental agreements dated 01.04.2010 (4 Nos) in favour of S.Poornima (2 Nos.) Mrs.M.Chandra (2 Nos.) denoting tenancy of suit item 3, Adyar for running ladies hostel. Do you admit the same?

A: I can't verify the genuinity.

Q57: Have you filed any document to denote as to who were the tenants running ladies hostel for suit item No.3 from April 2010?

A: I was in continuous travel and also mutual trust, she was communicating

with the tenants.

Q58: So, can you confirm that you had nothing to do with the tenants and you were not aware who are the tenants in the suit item 3?

A: Not true.

Time : 04.30 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