

BEFORE THE ADDITIONAL MASTER-III
HIGH COURT, MADRAS.
C.S.No.930 OF 2016

Date: 14.03.2025
Time: 11.15 A.M.

Name : Smt. V.Alamelu (PW1)

Cross Examination by Mr.D.Kumar, Learned counsel for the D2 to D4.

Solemnly Affirmed:

Q27:Is it correct that, you have generally signed in English?
A:Yes.

Q28:Is it correct that, all the documents related to this case you have signed in English?
A:Yes.

Q29:Is it correct that, your mother name is Saradha?
A:Yes.

Q30: Is it correct that, your father Dhakshnamoorthy(D1) was proprietor of Saradha Industries?
A:No. My mother Saradha was the proprietor of Saradha Industries.

Q31:Have you filed any proof to prove your mother Saradha was the proprietor of Saradha Industries?
A:No. Witness adds: If it is necessary I ready to produce the documents.

Q32:(Plaint is shown to the witness) Is it correct that, Item 1 of Schedule B property is mentioned as Geetha Industries?
A:Yes.

Q33:Is it correct that, your mother Saradha was the proprietor of Geetha Industries?
A:Yes.

Q34:Is it correct that, the nature of the work of Geetha Industries is Steel Fabrication work?

A:No. Witness adds: Insulator Packing Work was executed in Geetha Industries.

Q35:(Plaint is shown to the witness) Is it correct that, you have not stated about the nature of the work of Geetha Industries?

A:Yes. Witness adds: We are not stated the nature of the work in the plaint because it is not necessary for the fact of case.

Q36:Is it correct that, your mother's Kidney transplantation in the year of 2001?

A:Yes.

Q37:Is it correct that, because of after your mother's kidney transplantation she has not look after the business of Geetha Industries?

A:No. Witness adds: My mother look into the business with help of Supervisor. My father also look into the business.

Q38:I put it to you that, because of Geetha Industries went into loss, closed in the year of 2005.

A:Yes.

Q39:Is it correct that, in the year 2005 your mother have surrender and cancel sales tax registration?

A:I do not remember.

Q40:(Plaint is shown to the witness) In para 3 of the plaint you have stated that, "The said business had since been closed and all the machineries, etc., were sold by the first defendant for a sum of Rs.25 Lakhs to someone about whom the plaintiffs are not aware". Is it correct.

A:Yes.

Q41:Is it correct that, you have not stated the details of Machineries alleged to the sold by your father is not stated in your plaint?

A:Yes.

Q42:Is it correct that, you have not stated the date of sale of alleged Machineries in your plaint?

A:Yes. Witness adds: I do not know the date.

Q43:Do you know that, in what mode your father received a sum of Rs.25 Lakhs for sale of Machineries and you have not stated in your plaint and proof affidavit?

A:Yes. Witness adds: I do not know the mode of transaction of sale amount.

Q44:Have you filed any document to prove the sale of alleged Machineries and sale price of Rs.25 Lakhs?

A:No. Witness adds: My mother told this statement.

Q45:Is it correct that, you have not stated the particulars of answer to the question number 44 in your plaint?

A:Yes. Witness adds: We are not stated this, because it is not necessary for the fact of case.

Q46: I put it to you that, you falsely stated that your father received Rs.25 Lakhs from the sale of Geetha Industries machineries, so that you have not able to produce any documents before this court to prove the same.

A:I deny.

Q47:(Plaint is shown to the witness) In para 11 of the plaint you have stated that, “ Mother of plaintiffs kept her 210 sovereign jewels in a safety locker in with State Bank of India, Indira Nagar Branch at No.4, Teachers Colony, Adyar”. Have you not stated the details of 210 sovereign jewels in your plaint and proof affidavit?

A:Yes.

Q48:(Plaint is shown to the witness) In para 11 of the plaint you have stated that, Plaintiffs submit that they are not having the exact details of the jewels owned by D.Sharadha and the first defendant may be directed to furnish the same”. Is it correct?

A:Yes.

Q49:(Plaint is shown to the witness) In para 11 of the plaint you have stated that, “The first defendant by stealthily obtaining signatures of the plaintiffs and second defendant on some pretext removed those jewels and secreted them” Is it correct?

A:Yes.

Q50: (D1 side document No.3 is shown to the witness) Is this the signature has obtained by your father?

A:Yes.

Q51:(Plaint is shown to the witness) In para 11 of the plaint you have stated that, “The first defendant by stealthily obtaining signatures of the plaintiffs and second defendant on some pretext removed those jewels and secreted them” but as per D1 side document No.3 all the 6 legal heirs of Sharadha have signed in this document. Is it correct?

A:Yes.

Q52:(D1 side document No.3 is shown to the witness) Is it correct that the heading is shown as “Letter of relinquishment”?

A:Yes.

Q53:(D1 side document No.3 is shown to the witness) Is it correct that this document was described in Rs.100 stamp paper. Is it correct?

A:I deny. Witness adds: My father never shown any of the paper but he obtained our signatures in the paper. We do not know what is the nature of the documents and whether it is stamp paper or not.

Q54:(D1 side document No.3 is shown to the witness) Is it correct that the advocate has attested this document at the time of you were signing in this document?

A:I deny. Witness adds: My father sent this paper to our homes individually and everybody signed in their houses and all of them are not joint together at the time of signing this document.

Q55:(D1 side document No.3 is shown to the witness) In this document it is stated that, “We have no objection to your delivering the ornaments/ articles available in above locker standing in the name of the aforesaid D.Sharadha, deceased to Sri.C.Dakshinamoorthy, such delivery of the ornaments/articles would be completely binding on us and we will not question the Bank's action in so doing in any proceedings. We also undertake to bind ourselves, our heirs and legal representatives not to revoke the declaration made herein”

A:I deny. Witness adds: We do not know anything. My father has prepared everything. We signed in a paper and does not know what was written in the document. My father falsely obtained our signatures.

Q56:(Plaint is shown to the witness) Item 3 of Schedule B properties in the plaint you have stated that, “ Estimated value of amount realised by First defendant by closure of Savings Bank Account bearing No.30010801245 with State Bank of India, Indira Nagar Branch at No.4, Teachers Colony, Adyar of the deceased D.Sharadha is Rs.10,00,000/-”. Is it correct that, you have not stated the actual value of the amount but you have stated the estimated value of the amount.

A:Yes.

Q57:(Plaint is shown to the witness) In Para 10 of your plaint you have stated that” Plaintiffs could not ascertain the actual amount received by first defendant from closure of that account. He is liable to reveal the actual, true and correct amount thus received by him”. Is it correct?

A:Yes.

Q58:I put it to you that, without knowing the actual amount available in the account of your mother you falsely claim in this suit.

A:We ready to collect the actual amount from the Bank.

Q59:(Plaint is shown to the witness) In Para 10 of your plaint you have stated that” the Savings Bank Account bearing No.30010801245”. Is it correct?

A:Yes.

Q60:(D1 side document No.4 is shown to the witness)Is this the letter of disclaimer executed by all the legal heirs of your mother deceased Sharadha?

A:I do not know this documents. My father never shown any documents to us.

Q61: Are you filed any complaint against you father either to the Bank or Police Station for obtained the our signature's falsely?

A:No. Witness adds: Even though my father has obtained our signature's falsely, as a father we are not lodged any complaint against my father either to the Bank or Police station. We are directly asked to my father.

Q62:Is it correct that, your father was alive for 10 years after getting your's signature ?

A:Yes.

Q63:I put it to you that, you are all voluntarily signed in the Letter of disclaimer and Letter of relinquishment.

A:I deny. Witness adds: On the hope we signed when my father asking for ours signature.

Q64:I put it to you that, all the legal heirs of Sharadha has voluntarily signed in the Letter of disclaimer and Letter of relinquishment and for that reason and for that you have not lodged any complaint your father when he was alive.

A:I deny.

Time : 12.30 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