

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

Date: 13.10.2025
Time: 10.45 A.M.

Name : Smt. V.Alamelu (PW1)

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

Solemnly Affirmed:

Q159: (Para 12 and 14 of the Complaint is shown to the witness) In this you have stated that several times orally demanded for amicable partition of the suit property. Is it correct?

A: Yes. Witness adds: But I have also demanded for partition through written notice.

Q160: Have you stated anything in the complaint about when and where you have seeking several times orally demanded for amicable partition of the suit property?

A: I do not remember the exact date and time. But whenever we went to our father's home we demanded for amicable partition. My father also came to our house and informed that he has ready to settle the properties in favour of his daughters. But he prevented by his sons doing the amicable partition.

Q161: Have you stated the answer to the Q.No.160 in your complaint?

A: No.

Q162: I put it to you that you are falsely stated that your father also came to our house and informed that he has ready to settle the properties in favour of his daughters. But he prevented by his sons doing the amicable partition. You have not stated the above said facts in your complaint or proof affidavit.

A: I deny.

Q163: (Para 12 of the Plaint is shown to the witness) In Para 12 of this plaint you have stated that the second defendant has not expressed anything as she is under threat from defendant's 3 and 4. Has Vijaya lodged any complaint against D3 and D4 for this reason?

A: No. Witness adds: The above said fact is true.

Q164: I put it to you that you have falsely stated that the second defendant has not expressed anything as she is under threat from defendant's 3 and 4.

A: I deny.

Q165: (Plaint is shown to the witness) You have not mentioned anywhere in the plaint or in the proof affidavit regarding the place and time that second defendant was been threatened by the D3 and D4. Is it correct?

A: I have not stated any specific date in my plaint and proof affidavit because this was happening regularly. Witness adds: At the age of 16 itself my sister left her matrimonial life and returned back to our father's house and as per her request she was living in a part of my father's house till my father's lifetime. But after his demise she has been continuously residing in my father's house. Like that D3 and D4 also were residing in my father's house and my sister kept in their custody. After my father's life time each and every day D2 was been threatened by the D3 and D4.

Q166: I put it to you that you are falsely deposing that your sister Vijaya is staying (D2) in your father's house and she has been living in the house which was settled by your brothers D3 and D4.

A: I deny. Witness adds: For the past 25 years she was residing in my parent's house.

Q167: (Defendant side Doc.No.7 (Demand draft) is shown to the witness) Is it right to state that you have got a DD standing in your name for a sum of Rs.5,00,000/- on 30.08.2016 from your father?

A: In the year of 2011 my mother executed a settlement deed in favour of all the 4 daughters in respect of Sastri Nagar house. At that time D3,D4 themselves organized some people to purchase the property and they sold and received entire sale profits by portraying that we ourselves sold the property and issued DD for a sum of Rs.20,00,000/- each and at that time my father assured to give the remaining a sum of Rs.5,00,000/- for our children's education. It was our money which was given back to us. At that time the above said DD was issued to me.

Q168: Is it correct to state that Sastri Nagar property was sold on 10.11.2011?

A: Yes. Witness adds: They only sold not us.

Q169: Is it right that in the sale deed the female heirs have alone subscribed their signatures and the D3,D4 have not signed in it?

A: Yes. Witness adds: The Sastri Nagar property stands in my mother's name and she settled this house in favour of female heirs in the year of 2011. My mother called us for registration of settlement deed under the pressure of D3 and D4 at that time we were deceived by the name of settlement deed but in actual on the same day they forced and instigated us to execute release deed as well as the sale deed.

Q170: Is it right that all the above said documents were registered in Sub Registrar's Office?

A: Yes.

Q171: I put it to you that the Sub Registrar will not allow to register any deed of the party is, if the party is under pressure or uninterested he will allow to register only with the consent of the party.

A: I deny. Witness adds: We never signed the above said deeds before the Registrar at the time of registration. One lady has obtained our signature inside the registration office. Only a tiny part of the paper was shown to us and at that time we were surrounded by D3, D4 and their men.

Q172: In the above said documents not only the daughters have signed the attesting witnesses have also subscribed their signatures. Isn't it?

A: Yes. Witness adds: The attesting witnesses were not arranged by us and they were arranged by D3,D4.

Q173: Have you sent any complaint to the Registrar and any other Government Department related to the answer to the Q.No.171 and 172?

A: No. Witness adds: My mother affected by Kidney issues and she could not take a stand for everything that has happened and regretted about this executed release deed and assured to give the Adyar properties to the daughters after a year.

Q174: Have you stated the above said answer to the Q.No.173 anywhere in your plaint or proof affidavit?

A: No.

Q175: I put it to you that your mother never expressed that she was affected by Kidney issues and she could not take a stand for everything that has happened and regretted about this executed release deed and assured to give the Adyar properties to the daughters after a year.

A: I deny.

Q176: (Defendant side Doc.No.7 (Demand draft) is shown to the witness) You have received this DD with sum of Rs.5,00,000/- on 30.08.2016. Is it right?

A: Yes. Witness adds: They have given the amount which was supposed to be given to me.

Q177: (Defendant side Doc.No.7 (Demand draft) is shown to the witness) This DD was given to you by your father Dakshinamurthy. Is it right?

A: Yes.

Q178: The sale deed regarding the Sastri Nagar property was executed by the 4 daughters in the year 2011 and this DD was issued in the year 2016. So I put it to you that this 5 Lakhs is nowhere in concern with the sale deed in the year of 2011 regarding Sastri Nagar property.

A: I deny. Witness adds: In the year of 2011 my father told that D3 and D4 are restricting to give the daughters the rest of the money. So he assured me to give the rest of the money at the time of my children education.

Q179: Is it correct to state that this DD was given to you in the presence of advocate Mr.Alagarasan, in his office?

A: No. Witness adds: The DD was given to me in front of the gate of my father's house by Alagarasan. My father's and Alagarasan's office are opposite to each other. My brothers never allowed us to enter into my father's house.

Q180: I put it to you that along with this DD your father has handed over 10 sovereign dollar chain to you.

A: I deny.

Q181: (Plaint is shown to the witness) Is it right that you have signed in the plaint on 28.11.2016?

A: Yes.

Q182: I put it to you that you have received the DD with sum of Rs.5,00,000/- on 30.08.2016 just before 3 months of filing this case.

A: Yes.

Q183: I put it to you that you have threatened your father for not to file the partition suit and got this DD of Rs.5,00,000/- and then you have filed this suit.

A: I deny.

Q184: Your father demised on 01.10.2021 at Chennai. Is it correct?

A: Yes.

Q185: Is it right to state that at the time of your father's demise you also were in Ambattur, Chennai?

A: Yes.

Q186: At the time of your father's demise you never visited to see his deceased body in his house?

A: No. Witness adds: We went to our father's house but D3, D4 never allowed to enter into the house. Then we went to Besant Nagar graveyard and see my father's body and also we did all the funeral rites.

Q187: I put it to you that your father passed away due to mental agony of this case against your father and brothers.

A: I deny. Witness adds: My brother's only tortured my father in order not to give any share in the property.

Q188: I put it to you that you have falsely filed a partition suit against your father and brothers and you never went to your father's home at the time of your father's death since the suit was pending.

A: I deny. Witness adds: My father alone directed us to file the suit.

Q189: The female legal heirs of Dakshinamurthy and Saratha have already executed a release deed. I put it to you that you cannot pray for any shares in the suit schedule property.

A: I deny. Witness adds: My mother stated that the release deed is only an eyewash as she was unwell and could not live peacefully and assure to settle the property in future.

Q190: I put it to you that you are falsely deposing for this false case.

A: I deny.

Q191: I put it to you that you are not liable to claim for partition and the suit is liable to be dismissed.

A: I deny.

Time : 11.55 A.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