

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

Date : 31.07.2026
Time : 10.45 A.M

Name : D.Venkatesh (DW1)

Continuation of Cross Examination by Mr.S.Mohanakrishnan, Learned counsel for the Plaintiffs.

Solemnly Affirmed:

Q60: (Para 2 of Page 6 of Ex.P4 is shown to the witness) In para 2 of Page 6 it is stated that your mother has purchased the property mentioned in Ex.P4 from her own earnings. Is it right?

A: Yes.

Q61: What was your father's occupation?

A: Carpentry work.

Q62: Who was running Saratha Industries?

A: My father Dakshinamoorthy was running Saratha Industries.

Q63: (Para 4 of Written statement is shown to the witness) You have stated in para 4 of your written statement that Saratha Industries was started by your mother and your father looked after the said Industry. Is it right?

A: No, it is not stated so.

Q64: (Ex.P6 is shown to the witness) Is it right that your mother had built a house from her own earnings in the Shastri Nagar property which was purchased from the Slum Clearance Board?

A: I deny.

Q65: I put it to you that your father was looking after the business started by your mother.

A: Yes. He looked after the business along with my mother.

Q66: (Para 22 of Written statement is shown to the witness) Is it right htat you have stated in para 22 of your written statement that you are in possession of the property in teachers colony.

A: Yes.

Q67: I put it to you that in your early deposition you have stated that your elder sister alone is residing in teachers colony property and that it is not in your possession.

A: At present, I am not in possession of the property, but at the time of filing written statement I was in possession of that property.

Q68: I put it to you that your elder sister alone residing in that property and you have falsely stated that you and your father resided in that property.

A: I deny. Witness adds: Though I am not residing in that property, I am in possession of that property.

Q69: Are you paying the property tax for the suit schedule property?

A: Yes.

Q70: From which year you are paying the property tax?

A: (The witness wants to puruse the plaint and his proof affidavit and so they are given to him for perusal) I am paying the property tax from 2017.

Q71: Have you filed the proof that you have paid the property tax from 2017?

A: (The witness wants to puruse the written statement and his proof affidavit and so they are given to him for perusal) I do not know whether I have filed any such proof.

Q72: I put it to you that after the death of your mother your elder sister is who is a plaintiff herein is paying the property tax for the suit property.

A: For the purpose of filing this suit the plaintiff has paid the property tax for one year alone and for rest of the period I have been paying the property tax.

Q73: I put it to you that the reason for your elder sister being unable to pay the property tax for the property is that the suit for partition has been filed and as you say that you are in possession of the property.

A: I deny.

Q74: I put it to you that you have stated in your earlier deposition that your father had valued the suit property of the suit in OS.No.5478/2016 before the XVII Additional City Civil Court.

A: No, my father only stated the value. It was Anbarasan who is a Registered Valuer who had valued that suit property.

Q75: I put it to you that you have falsely stated in that plaint the suit property therein was purchased out of the income of your father.

A: I deny.

Q76: I put it to you that you wantonly omitted to add the plaintiff as a party in OS.No.5478/2016 with an intention that they should not get any share in the property.

A: I deny. Witness adds: I have stated that they have executed release deed and so we are alone entitled to the property.

Q77: I put it to you that in the release deed Shastri Nagar property alone is mentioned and that the release deed is nothing to do with the suit schedule property in OS.No.5478/2016 and you have wantonly not added the plaintiff as a party in that suit.

A: I deny. Witness adds: In the release deed it is mentioned as Shastri Nagar property is settled in favour of my sisters and also Rs.6,25,000/- each was given and release deed was obtained with regard to rest of the property.

Q78: I put it to you that in the release deed the description of other properties is not specifically stated and it is merely stated 'other properties' and that will not include the entire property.

A: I deny.

Q79: I put it to you that a single release deed cannot be executed for all the properties.

A: I deny.

Q80: I put it to you that you have undervalued the suit in OS.No.5478/2016 and cheated the Court.

A: I deny.

Q81: Have you filed any document to show the value of the suit property in OS.No.5478/2016 in this case?

A: No.

Q82: I put it to you that you will have not filed any such document because filing of such document was revealed that you have undervalued that property and filed a suit by cheating the Court.

A: I deny. Witness adds: It is not necessary to file the valuation document of the suit property in OS.No.5478/2016 in this suit.

Q83: Is it right that in suit property in OS.No.5478/2016 and are different?

A: Both the properties are one and the same.

Q84: I put it to you that your father was having the details of the bank lockers with him.

A: Yes.

Q85: I put it to you that 2nd and 3rd items in the B Schedule of the plaint was taken care by the first defendant as a father.

A: All the legal heirs of my mother had given a disclaimer and everything was handed over to my father.

Q86: I put it to you that as daughters of your mother the plaintiffs are entitled to seek the details of Item 2 and 3 of the B schedule.

A: I deny. Witness adds: As they have signed as per the release deed, they are not entitled to seek the details of Item 2 and 3 of the B schedule.

Q87: When was Saratha Industries closed?

A: (The witness wants to pursue the written statement and so it is given to him for perusal) In 2005.

Q88: I put it to you that all the properties were purchased from out of the income earned by your mother from Saratha Industries.

A: I deny.

Q89: I put it to you that Saratha Industries is name changed as Geetha Industries.

A: I deny.

Q90: I put it to you that in your written statement you have stated that Saratha Industries has been name changed as Geetha Industries.

A: No, I have not mentioned like that in the written statement.

Q91: I put it to you that all the properties were purchased in your mother's name and your father looked after the property.

A: I deny. Witness adds: It was my father who purchased the property and he gave the property to my mother.

Q92: When did your father die?

A: In the year 2021.

Q93: When did your mother die?

A: In the year 2012.

Q94: Why did you not ask for partition of the property from your father before filing the suit?

A: My father had told me that he will settle the property, so I will not ask him.

Q95: I put it to you that in order to prevent your father from settling the property you have filed OS.No.5478/2016 by showing your father as the first defendant.

A: I deny.

Q96: I put it to you that the suit property in CS.No.930/2016 has nothing to do with the Ex.P6 release deed and suppressing the same you have filed OS.No.5478/2016.

A: I deny. I have stated all the real facts in OS.No.5478/2016.

Q97: I put it to you that as daughters the plaintiffs are entitled to share in the suit property and your denial will not disentitled them from claiming any share in the suit property.

A: The properties are the self-acquired properties of my parents and hence the plaintiffs are not entitled to claim any right or share

Q98: As you have suppressed the real facts and obtained the order in OS.No.5478/2016 and as the said orders has nothing to do with the CS.No.930/2016 I put it to you that the orders passed in OS.No.5478/2016 has no binding in this suit.

A: I deny. Witness adds: I have not suppressed anything.

Q99: I put it to you that Ex.P6 release deed has nothing to do with the suit property herein and that the plaint claim is to be decreed.

A: I deny.

Q100: I put it to you that the prayer of the plaintiffs with regard to A and B suit schedule properties is to be granted.

A: I deny.

Time : 11.35 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