

BEFORE THE ADDITIONAL MASTER-III

HIGH COURT, MADRAS.

C.S.No.930 OF 2016

Date: 07.03.2025

Time: 11.25 A.M.

Name : Smt. V.Alamelu (PW1)

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

Solemnly Affirmed:

Q1:Is it correct that, 2nd Plaintiff Geetha, 3rd Plaintiff Umamaheswari and D2 Vijaya, D3 Venkatesh, D4 Raju all are your sisters and brothers?

A:Yes.

Q2:Is it correct that, deceased D1 Dhakshnamoorthy is your father?

A:Yes.

Q3:Is it correct the you studied B.Com Decree course?

A:Yes.

Q4:Therefore you can read and write in English?

A:No. I studied in Tamil Medium.

Q5:Is it correct that, eventhough you studied in Tamil medium English is one of the compulsory subject?

A:Yes.

Q6:Is it correct that, your husband worked in Madras University as Professor and after his retirement now he is working at delhi?

A:Initially my Husband worked in Madras university. Then he applied Jawahal Nehru University, Delhi in vacancy post and now working in that University.

Q7:Is it correct that, 2nd Plaintiff Geetha resides in cuddalore?

A:Yes.

Q8:(Plaint is shown to the witness) The address of the 2nd plaintiff mentioned long cost title is old No.5, New No.11, Kamaraj Avenue, 2nd Street, Adayar, Chennai-20. Is it correct?

A:Yes. Witness adds: This is my father's address now my sister residing at Cuddalore.

Q9:When 2nd plaintiff Geetha got married?

A:I do not remember.

Q10:(Plaint is shown to the witness) Is it correct that, in your plaint each plaintiff claimed 1/7th share in the suit schedule properties?

A:Yes.

Q11:(Plaint is shown to the witness) Is it correct that, the plaintiffs calculated the court fee for 3/7 share and paid court fees there on.

A:Yes.

Q12:Is it correct that, Your father D1 had expired on 01.10.2021 during this pendency of this suit?

A:Yes.

Q13:Is it correct that, after the death of your father D1 in the total shares arrayed 1/6?

A:Yes.

Q14:Is it correct that, after the death of your father D1 you have not made suitable amendments for 1/6 share?

A:No.

Q15:Is it correct that, you have not valued the property for your 1/6 share and also not paid relevant court fees?

A:I do not know.

Q16:(Plaint is shown to the witness) Is it correct the you sought for the relief of to direct the 1st defendant Mr.Dakshnamoorthy to render a true, correct and proper account details of Item No.1 to 3 of the suit B schedule properties?

A:Yes. Witness adds: I asked this relief when my father alive.

Q17:I put it to you that, the relief in Prayer B to D sought by you are become infructious in respect of Defendants 2 to 4 after the death of D1 Dakshinamoorthy.

A:I deny. Witness adds: They are liable to render account in respect of My Mother's movable items.

Q18:I put it to you that, the Defendants 2 to 4 are not liable to render any accounts for the relief sought by you in prayer B to D.

A:I deny.

Q19:Is it correct that, 3rd plaintiff Uma Maheswari is having a share in the suit properties as per your contention in plaint.

A:Yes.

Q20:Is it correct that, 3rd plaintiff Uma Maheswari is withdrawn her from the suit?

A:Yes. Witness adds: The 3rd plaintiff Uma Maheswari never withdrawn her share.

Q21:(Amended Plaint is shown to the witness) Is it correct that, as per short cause title of the suit the 3rd plaintiff Uma Maheswari was removed from the suit by its order dated 27.09.2024 in application number 4988 of 2024?

A:Yes.

Q22:Is it correct that, eventhough the 3rd plaintiff Uma Maheswari was removed from the suit you categorically stated she is also having share in the suit properties?

A:Yes.

Q23:Is it correct that, after the removal of the 3rd plaintiff Uma Maheswari you have not taken any steps to implead her as one of the defendant?

A:Yes.

Q24:I put it to you that, this suit is liable to be dismissed as Non Joinder of necessary parties because of you have not implead your sister Uma Maheswari in this suit.

A:I deny. Witness adds: Initially she was with us for past 7 years and now for the reasons best known to her she was not come forward to the court.

Q25:Is it correct that, eventhough your sister Uma Maheshwari is not a party to suit you were willing to claim her share for her?

A:Yes. Witness adds: This is Mother's properties and all the children's having shares in this suit properties.

Q26:I put it to you that, you have no right to claim the share of your sister Uma Maheswari?

A:I deny. Witness adds: This is Mother's properties and all the children's having shares in this suit properties.

Time : 12.15 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