

BEFORE THE ADDITIONAL MASTER-II
HIGH COURT, MADRAS
C.S.No. 678 OF 2019

Date : 20.11.2025
Time : 11.55 A.M.

Name : Mr.Sathrasala Sharath Babu (PW1)

PW1 Cross Continuation by Learned counsel for the 9th Defendant
Mr.B.Vignesh.

Solemnly affirmed:

Q1:Do you read and write English and Tamil fluently?

A:I read and write English fluently, and I can speak Tamil.

Q2:Are you aware of the contents of the documents filed by you
before this Court?

A:Yes.

Q3:The pleadings in plaint as well as proof affidavit and the
affidavits filed in the support of applications filed in the suit are
prepared as per your instructions. Is it correct?

A:Yes.

Q4:When were you inducted as a trustee in the D1 Trust?

A:Specific date I do not remember more than 15 years, I had been a trustee
in the D1 Trust.

Q5:I put it to you that in answer to Q4 of cross examination carried by D1
counsel, you have stated that you are related to the 1st defendant trust for
more than 20 years so, is it right to state that you were trustee for more than
20 years.

A:Yes.

Q6:(Ex.P20 is shown to the witness) What is the tenure of a trustee according to Ex.P20?

A:5 years.

Q7:What is the procedure to be followed after expire of 5 years for a person to continue as a trustee as per Ex.P20?

A:The Trustee is eligible for re-election.

Q8:How many time you have been re-elected as a trustee?

A: I do not remember.

Q9:Who inducted you as a trustee?

A:I do not remember.

Q10:(Plaint & Proof affidavit are shown to the witness) Whether you have stated in your plaint or proof affidavit by whom and when you were inducted as a trustee?

A:No, I have not stated.

Q11:You have stated in your plaint that there was mis administration of the trust during the year 2017-2019 were you actively participated in the activities of the trust prior to 2017?

A:Whenever the meeting is called for, I will attend, if possible.

Q12: (Plaint & Proof affidavit are shown to the witness) You have stated that the last meeting of the trust was held on 15.04.2016 have you ever stated in your plaint or proof affidavit that the meetings were not properly held prior to 2016?

A:Yes, I have mentioned.

Q13:Can you tell that from the plaint averment or from the proof affidavit in which para you have stated that?

A:I have not mentioned in my plaint or proof affidavit that the meeting was not held properly before 2016 but I have stated that the meeting was not properly held after 2016 and I have sent letter to that effect in the year 2019.

Q14:From the date of induction as you trustee till 15.04.2016 have you taken part in all the meetings and have discharged your function as a trustee?

A:Whenever I get intimation with regard to committee meeting I shall attend if possible.

Q15:Except attending the meeting what are all the other function you have discharged as a trustee?

A:I have been authorized to conduct cases against the tenant and filed fair rent petition on behalf of the trust and conducted the legal issue on behalf of the trust.

Q16:Have you filed any document to prove that you were authorized to conduct the legal issue on behalf of the trust?

A:No.

Q17:Do you remember the President and Secretary and treasurer of the trust when you actively participated in the trust activities?

A:Mr.Manmohan was the president, Mr.Sugunakar was the Secretary. I do not remember who was the treasurer at that time.

Q18:Were all these office bearers mentioned in answer to Q17, holding those position for past 20 years during which you were inducted as a trustee?

A:I do not remember.

Q19:Since you have stated that you were authorized to file cases on behalf the D1 trust. Can you say how many shops were there in the trust properties and the monthly rental income out of the same?

A:I was authorized to file fair rent against property at Acharappan Street only. So, I do not know what is the rental income of the entire trust property.

Q20:Can you state how many tenants were there in a property at Acharappan Street and what is the monthly rental income of that property?

A:I think there were 8 or 9 tenants. I do not remember the monthly rental income of that property.

Q21:I put it to you that you have stated in the plaint Para 5 that monthly income of the trust properties is Rs.3 Lakhs. Is it correct.

A:Yes. It is the approximate monthly rental income of the trust properties.

Q22:There are two bank accounts(LVB in Savings A/c.Nos.0427301000035330, 0427301000021247) in the name of trust. Who maintained that two bank accounts from the date of induction of you as a trustee ?

A:Mr.Sugunakar (Secretary of the trust)

Q23:How Mr.Sugunakar is related to you personally?

A:He is my Father.

Q24:(Ex.P20 is shown to the witness) What are all the temples towards which duties are to be discharged as mentioned in Ex.P20?

A:It is clearly mentioned in Schedule B of Ex.P20.

Q25:(Plaint is shown to the witness) What is meant by Thathiyaradhana as mentioned in your plaint para 4?

A:I do not know the exact meaning it should be some Pooja.

Time:12:45 PM

Taken down in open Court, read over and explained to the witness and the same is admitted by the witness to be true and correct and signed before me.

ADDITIONAL MASTER-II