

BEFORE THE ADDITIONAL MASTER IV,
HIGH COURT, MADRAS
C.S.No.47 OF 2021

Date: 12.11.2025
Time : 12.29 P.M.

Name : Mr. G. Jayachandra Naidu (PW1)

Continuation of cross examination by Mr. C. Emalias, the counsel for the defendant.

Solemnly affirmed:

Q111: In Ex.P1, e-mail you have stated that the Statement of Accounts of M/s. Madurai Granites has been attached along with the Ex.P1, is it correct?

A: Yes.

Q112: (Ex.P2 is shown to the witness.) In Ex.P2, you have stated that if M/s. Madurai Stones returns all the original documents to the plaintiff, the plaintiff would settled all the amounts due to M/s. Madurai Stones, is it correct?

A: Yes.

Q113: Is it also stated in Ex.P2 that on receipt of original documents, you would transfer the amount to M/s. Madurai stones?

A: Yes.

Q114: (Ex.P3 is shown to the witness.) In Ex.P3 also, you have stated that on handing over of the original documents relating to the quarry, you are ready to settle the amount, is it correct?

A: Yes.

Q115: (Ex.P4 is shown to the witness.) Is Ex.P4, the letter dated 11.02.2016 sent by M/s. Madurai Stones to you?

A: Yes.

Q116: Is it correct that in Ex.P4 also, it has been stated that on return of Rs.67 lakhs by the plaintiff to M/s. Madurai Stones, they were willing to hand over the original documents?

A: Yes, it has been stated so. Witness adds: However, they never handed over the original documents.

Q117: I put it to you that since you have not returned Rs.67 lakhs to M/s. Madurai Stones, they have not returned the original document available with them to you.

A: I deny. Witness adds: We have requested several times for the return of documents but they did not return it and they continued to run the quarry and sell the blocks at that time.

Q118: I put it to you that you have not produced any document to show that M/s. Madurai Stones operated the quarry as stated in your earlier reply.

A: Yes.

Q119: (Ex.P5 is shown to the witness.) Is it correct that Ex.P5 is an e-mail sent by M/s. Madurai Stones to the plaintiff on 13.02.2016?

A: Yes.

Q120: Is it stated in the e-mail, Ex.P5 that M/s. Madurai Stones have asked you to return the amount multiple times?

A: Yes. I am ready to return the amount, once the quarry is handed over. But they have not done so.

Q121: I put it to you that nowhere in the plaint you have stated that M/s. Madurai Stones has not handed over the possession of the quarry to the plaintiff.

A: Yes, we have not stated.

Q122: I put it to you that you have not stated in any of the e-mails sent by you asking M/s. Madurai Stones to hand over the possession of the quarry to you.

A: I have not stated in the e-mails but personally I have requested them to handover the quarry.

Q123: Is it correct that even in the plaint and the documents filed by you you have not mentioned that you had personally requested M/s. Madurai Stones for handing over of the quarry to you?

A: Yes.

Q124: (Ex.P8 is shown to the witness.) Is Ex.P8, the e-mail sent by Sunrock company, (the plaintiff company) to one Stone Haus Company?

A: Yes.

Q125: In Ex.P8 e-mail it has been stated that you have attached the Statement of Accounts of M/s. Madurai Granites?

A: Yes.

Q126: I put it to you that you have not stated in the plaint as to who are the owners of M/s. Madurai Granites or Stone Haus Company.

A: Yes.

Q127: (Ex.P13 is shown to the witness.) Kindly see last para of page 2 in Ex.P13. Is it correct that in Ex.P13, notice dated 23.11.2017 sent by you, you have stated that the Madurai Collector had initiated action against the defendant and his family?

A: Yes.

Q128: On what basis, have you stated this?

A: Everybody knows in Tamil Nadu. The entire granite industry knows this news.

Q129: Have you produced any document to show that Madurai Collector had initiated action against the defendant and his family?

A: I have not produced any document.

Q130: Is it correct that further, you have stated that this news was published in the Times of India, Aurangabad edition on 31.10.2017?

A: Yes. Witness adds: I am ready to produce the publication, if required

Q131: When can you produce it?

A: I can produce it soon.

Q132: I put it to you that the contents in Ex.P13 are malicious / defamatory.

A: I deny.

Q133: I put it to you that all the allegations in Ex.P13 are false.

A: I deny.

Q134: I put it to you that you are liable for criminal and civil action for the malicious contents in Ex.P13.

A: I deny.

Q135: I put it to you that the quarry original documents are available only with you.

A: I deny.

Q136: I put it to you that the defendant has only the original of the irrevocable General Power of Attorney and Letter of Authorization.

A: Yes.

Q137: I put it to you that no other original documents is available with the defendant or M/s. Madurai Stones.

A: I deny. All the originals are with them only.

Q138: I put it to you that you are falsely deposing that the original quarry and land documents are available with the defendants.

A: I deny.

Q139: Is it your case that the dispute is between Sunrock Company and M/s. Madurai Stones?

A: Yes.

Q140: Is it correct that you have not impleaded Sunrock Company or M/s. Madurai Stones in the plaint?

A:Yes. Witness adds: The names of the companies have not been mentioned but the names of the owners have been mentioned.

Q141: I put it to you that if there is a dispute between the companies, you are bound to add the companies as parties.

A: I deny.

Q142: (Plaint is shown to the witness.) Kindly see para 6 of your plaint. Is it correct that in para 6, you have admitted that you owe Rs.67 lakhs to M/s. Madurai Stones?

A: Yes.

Q143: (Plaint is shown to the witness.) Kindly see para 8 of your plaint. Is it correct that in para 8 of the plaint, you have stated that the details of the loss would be furnished at an appropriate time?

A: Yes.

Q144: I put it to you that you have not produced the details of the loss till date.

A: Yes.

Q145: (Plaint is shown to the witness.) Kindly see para 9 at page 8 of your plaint. I put it to you that no dates have been mentioned in the cause of action paragraph of the plaint.

A: I deny. Dates have been mentioned.

Q146: I put it to you that you have not produced any document to show that the defendants have filed a complaint against you with the police.

A: Yes. Witness adds: I can collect the complaint from the police and file it if need be.

Q147: I put it to you that loss of reputation is entirely different from loss of business.

A: I deny.

Q148: I put it to you that you cannot file a single suit for loss of reputation and loss of business.

A: I deny.

Q149: I put it to you that the Stone Haus Company and M/s. Madurai Granites are not owned by the defendant.

A: I deny.

Q150: I put it to you that the quarry agreement was between one Mr. Rabik Raja and Mrs. Gajalatha, the 1st plaintiff.

A: I deny. There was no agreement. There was only a General Power of Attorney and Authorization letter handed over to Mr. Rabik Raja who is a partner of M/s. Madurai Stones.

Q151: (Ex.P16 is shown to the witness.) I put it to you that in Ex.P16 it has been stated that "I have not received any consideration for this Power and my Power of Attorney shall maintain proper accounts".

A: Yes. It is mentioned in this Power of Attorney.

Q152: I put it to you that all the disputes are with Rabik Raja.

A: I deny. All the disputes are with Rabik Raja and his father.

Q153: I put it to you that you have not impleaded Rabik Raja and his father as defendants in this suit.

A: I deny.

Q154: I put it to you that the suit has to be dismissed since it has been filed after the limitation period and for non-joinder of necessary parties.

A: I deny.

Q155: I put it to you that you have filed this suit only to escape from your liability to Rabik Raja and Sunrock company.

A: I deny.

Q156: I put it to you that the defendant never spread any rumour about you among the public as stated by you in the plaint.

A: I deny.

Q157: I put it to you that giving a police complaint is only a legal action.

A: I deny.

Re-Examination : Nil.

Time: 01.34 P.M.

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-IV