

BEFORE THE ADDITIONAL MASTER-III
HIGH COURT, MADRAS.
TOS. No. 45 OF 2024

Date: 17.02.2026

Time: 12.16 P.M.

Name : Mr.D.Nataraj (PW1)

Cross Examination by Mr.R.Vinayagamoorthy, Learned counsel for the defendant.

Solemnly Affirmed:

Q20: (Ex.P3 Will is shown to the witness) Do you know what was the designation of Mr.Kandhasamy, the testator?

A: He was working as teacher.

Q21: Whether he was working in the Government school or private school?

A: Government school.

Q22: I put it to you that Thondaimandala Thuluva Vellalar Higher Secondary School is a private school.

A: It is a Government undertaking school.

Q23: Do you know Mr.Kandhasamy, testator was working as a second grade teacher or P.T. Assistant or P.G.Assistant?

A: I do not know.

Q24: I put it to you that he was not a teacher and he was working as Office Assistant.

A: I deny. Witness adds: He was working as a teacher and he was pension holder.

Q25: (Ex.P3 Will is shown to the witness) Am I right as a Government teacher he knows very well signed in all the documents in this circumstances what is the reason that the testator affixed his thumb impression in Ex.P3 Will?

A: He was not stable and due to small change in the previous signature he affixed his thumb impression in Ex.P3 Will.

Q26: (Ex.P3 Will is shown to the witness) I put it to you that he was hale and healthy and good condition at the time of execution of Ex.P3 Will hence the reason assigned by you in answer to Q.No.25 is not valid.

A: I deny. Witness adds: At the time of execution of the Will he was in good condition.

Q27: (Ex.P3 Will is shown to the witness) I put it to you that he was not hale and healthy and good condition at the time of execution of Ex.P3 Will, you got his thumb impression when he was not in self conscious.

A: I deny.

Q28: (Ex.P3 Will is shown to the witness) I put it to you that the photo affixed in Ex.P3 Will also shows that he was not hale and healthy and good condition at the time of execution of Ex.P3 Will.

A: I deny. Witness adds: At the time of execution of the Will he was in good condition.

Q29: (Ex.P3 Will is shown to the witness) Whether you got this Ex.P3 Will or you read over the word which was executed by the testator?

A: The testator and his wife willing to execute such a Will and in turn the testator executed this Ex.P3 Will by his own wish and will.

Q30: (Ex.P3 Will is shown to the witness) Is it right that you and your sister took the testator to the Sub Registrar Officer and you both of them obtained the signature of the testator in Ex.P3 Will?

A: No.

Q31: (Ex.P3 Will is shown to the witness) I put it to you that the photo affixed in Ex.P3 Will also shows that the Manonmani was not hale and healthy and not in good condition at the time of execution of Ex.P3 Will.

A: I deny. Witness adds: She was hale and healthy and she came by Auto to Register Office.

Q32: (Ex.P3 Will is shown to the witness) I put it to you that she was not hale and healthy and good condition at the time of execution of Ex.P3 Will, you got her thumb impression when she was not in self conscious.

A: I deny.

Q33: (Page and Para No.3 of Ex.P3 Will is shown to the witness) Is it correct that in Para No.3 of Page No.3 in Ex.P3 Will the sentence stated as “மேற்கண்ட சொத்திற்கு நாங்கள் இதற்கு முன்பு ஏதாவது உயில் எழுதி வைத்திருந்தால் அது இந்த உயில் சாசனம் மூலம் ரத்தாகிறது” is erased by whitener, but not signed by the testator?

A: Yes. Witness adds: The testator in this page but not signed near the whitener portion.

Q34: (Ex.P3 Will is shown to the witness) Is it right that the witnesses Latha and Narayanan are your relatives?

A: No.

Q35: (Ex.P3 Will is shown to the witness) I put it to you that the second testator Manonmani had the direct legal heir Vijayalakshmi. But you execute this Ex.P3 Will without the knowledge of Vijayalakshmi for the purpose of cheating her.

A: I deny. Witness adds: I do not know.

Q36: (Ex.P3 Will is shown to the witness) I put it to you that this Ex.P3 Will executed suppressing the existence of Vijayalakshmi that the second class legal heir of Manonmani you executed this Will.

A: I deny.

Q37: (Ex.P3 Will is shown to the witness) I put it to you that you did not inform the death of Manonmani to Vijayalakshmi because of to avoid the claim of the property by Vijayalakshmi.

A: I deny. Witness adds: I contacted through landline to Vijayalakshmi and she also came to the death of Manonmani.

Q38: Whether Mrs.Manonmani worked?

A: Yes.

Q39: Is it right that Mrs.Manonmani also working as a Government servant and having sufficient wealth?

A: She was normal. But I do not know whether she was working in the Government or private.

Q40: I put it to you that she was working in the Government sector and pension holder and she was very wealthy and also having jewels.

A: She was normal and she was not very rich.

Q41: (Ex.P3 Will is shown to the witness) I put it to you that you took all the jewels of Manonmani and did not state anything about it in the Ex.P3 Will.

A: I deny. Witness adds: She wear only Thali.

Q42: How much sovereigns Thali that she was wear?

A: Approximately 8 grams Thali and one sovereign of bangle.

Q43: I put it to you that the said Manonmani having lot of jewels but for the purpose of this case now you say the minimum sovereign of jewels.

A: I deny.

Q44: (Ex.P1 and Ex.P3 Will are shown to the witness) I put it to you that the signature of Manonmani in Ex.P1 and Ex.P3 Will are entirely different.

A: I deny. Witness adds: She was signed in the presence of Sub Registrar.

Q45: (Ex.P3 Will is shown to the witness) I put it to you that when she was in bed ridden you and your sister have took Manonmani and registered this Ex.P3 Will by force.

A: I deny. Witness adds: My sister is not in town at that time of registration of Ex.P3 Will.

Q46: (Ex.P3 Will is shown to the witness) I put it to you that the defendant entitled for half share that too the property belongs to Manonmani and you and your sister are entitled only for half share that too the property belongs to Mr.Kandhasamy.

A: I do not know. Witness adds: As per Will I entitled the property.

Q47: (Ex.P3 Will is shown to the witness) I put it to you that you orally agreed to give share to M.K.Kamachi Ammal and M.K.Saraswathi Ammal and for that they were not appeared in this case.

A: I deny.

Q48: (Ex.P3 Will is shown to the witness) Is it right that M.K.Kamachi Ammal and M.K.Saraswathi Ammal are the sisters of Mr.Kandhasamy?

A: Yes.

Q49: (Ex.P3 Will is shown to the witness) I put it to you that you are not entitled any property as per Ex.P3 Will.

A: I deny.

Q50: (Ex.P3 Will is shown to the witness) I put it to you that you did not perform the funeral ceremonies of Mr.Kandhasamy and Mrs.Manonmani?

A: I deny.

Q51: (Ex.P3 Will is shown to the witness) Have you filed any document to prove that you perform the funeral ceremonies of Mr.Kandhasamy and Mrs.Manonmani?

A: No. Witness adds: I have it.

Q52: (Ex.P3 Will is shown to the witness) I put it to you that you have not entitle any relief regarding this Ex.P3 Will.

A: I do not know.

Time : 01.02 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