

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

Date : 15.04.2026
Time : 02.40 P.M.

Name : Mrs.D.Nirmala (PW2)

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

Solemnly Affirmed:

Q10: Who is Kamatchi ammal R1 and Saraswathi ammal R2?

A: Both are my aunts (Father's sister)

Q11: I put it to you that you are collude with R1 and R2 and abstained R1, R2 to represent the case on behalf of them.

A: I deny.

Q12: Is it right that R1 and R2 does not appeared and engaged counsels in this case?

A: Yes.

Q13: (Ex.P3 is shown to the witness) I put it to you that it is the independent right of one person to execute the Will in contra to that two persons jointly execute the Will is not legally valid in the eye of law and it will affect the individual rights of the testators.

A: I deny. Witness adds: Both are jointly executed this Will.

Q14: Do you know the execution of the Will at the time of execution of the Will?

A: No. Witness adds: But they are informed about they proposed to execute the Will.

Q15: I put it to you that there is no executor appointed in this Will. Hence, this Will is not legally valid.

A: I do not know about the legal issues.

Q16: I put it to you that you do not know directly about the execution of the Will at request of your brother you come to this Court to depose evidence.

A: I deny.

Q17: Do you know from whom Kandhasamy and Manonmani purchased the property covered in the Will?

A: I do not know.

Q18: I put it to you that the sale consideration paid for the purchase of property in the name of Kandhasamy and Manonmani ammal paid through the sale profits of Manonmani ammal property which was derived from her mother.

A: I deny. Witness adds: The above said property purchased from the retirement amount of my uncle (sitappa) and also the sale profits of his property.

Q19: Have you filed any document to substantiate your answer to Q.No.18?

A: No.

Q20: Is it right that R3 S.Vijayalakshmi is the younger sister of Manonmani?

A: Yes.

Q21: I put it to you that you are not a legal heir of Manonmani. By compulsion of Kandhasamy his wife (Manonmani) executed this Will.

A: I deny.

Q22: What is the address of the suit schedule property?

A: 29, Vanchinathan street, Perambur.

Q23: I put it to you that this property is not situated at Perambur village.

A: I deny. Witness adds: I am residing in the same property.

Q24: I put it to you that without knowing the contents of the case and not knowing the details of the property you come forward to depose evidence before this Court.

A: I deny. Witness adds: I know every normal details regarding the property.

Q25: Whether your uncle and aunt having any children or no issues?

A: They had two children and died after their immediate birth.

Q26: Whether your uncle and aunt's children died immediate after their birth or later?

A: They died immediate after their birth. Witness adds: My parents told that the children are not taken into home after their birth. Because of they died immediately.

Q27: Do you know your aunt worked in Government sector?

A: Yes. She was worked as a telephone operator in Civil Supplies Corporation.

Q28: Whether your aunt died after her retirement or before that?

A: After her retirement, she died.

Q29: Do you know your uncle worked in Government sector?

A: Yes. He was worked as a school teacher.

Q30: Do you know whether your uncle teaches a primary students or middle class students?

A: He taught upto 8th standard.

Q31: I put it to you that your uncle and aunt are very well educated and he purchased the property from their salary income and sale profits of ancestral property and also very well know that they have not jointly executed the Will and by compulsion this Will jointly executed by Manonmani and not valid in the eye of law.

A: I deny.

Q32: Do you know Mr.Ravichandran, Advocate?

A: I do not know.

Q33: Is it right that Mr.Ravichandran, Advocate of your uncle (Sitappa) helped to buy the property?

A: I do not know.

Q34: I put it to you that R3 Vijayalakshmi has a right over the property of Manonmani. You falsely executed the Will in your favour.

A: I deny. Witness adds: I did not enter any illegal activities.

Q35: I put it to you that you have a right over the property of Kandhasamy and no right to take over the property of Manonmani. You falsely executed the Will in your favour.

A: I deny.

Q36: I put it to you that you have right only to maintain the property. Because there is no executor appointed in this Will.

A: I deny.

Q37: I put it to you that if you have any right in this property you have filed a Civil suit before City Civil Court at Chennai to claim the property.

A: I deny. Witness adds: They are voluntarily executed the Will as per their own will and wish.

Q38: (Ex.P3 is shown to the witness) How much property allotted to you in this Ex.P3 Will?

A: 40%

Q39: (Ex.P3 is shown to the witness) Para 3 of Page 3 in Ex.P3 Will have corrections and deletions. Is there any Will executed prior to this Will?

A: No.

Q40: (Ex.P3 is shown to the witness) Who are the attesting witnesses in the Ex.P3 Will?

A: Ram who is my uncle's friend and Latha who is my aunt's friend.

Q41: (Ex.P3 is shown to the witness) I put it to you that the name of witnesses as stated by you is differ. Hence, you did not know about the Will and the same is not valid in the eye of law.

A: I deny.

Q42: I put it to you that this suit is liable to be dismissed.

A: I deny.

Time : 03.18 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