

BEFORE THE ADDITIONAL MASTER-III
HIGH COURT, MADRAS.

C.S.No.60 OF 2022
(TOS.No.9 of 2019)

Date : 24.07.2026
Time : 03.36 P.M.

Name : Mrs. Shoba Malini (PW1)

Cross Examination by Mr.M.Devaraj, Learned counsel for Defendants.

Solemnly Affirmed:

Q1: Against whom have you filed this suit?

A: Against my mother, my three sisters and their respective husbands.

Q2: What is the relief you have sought for in this case?

A: I have sought for 1/5th share in my father's property.

Q3: Is it right that the suit property was purchased by your father?

A: Yes.

Q4: From whom did your father purchase this property?

A: My father worked in Military and he got the property from the defence department.

Q5: I put it to you that you are not aware as to how and from whom your father had purchased the property.

A: I deny.

Q6: Whether the plaint and proof affidavit was prepared on your instruction or by the advocate himself?

A: I gave instructions to my advocate to prepare the plaint and proof affidavit.

Q7: When did your father die?

A: On 07.12.2010.

Q8: When was the suit property purchased?

A: My father purchased the suit property when I was aged about 10 or 11 years.

Q9: Is it right that your parents had given education to all of you?

A: Yes.

Q10: What is your educational qualification?

A: I studied upto 9th standard.

Q11: When did you get married?

A: After 4-5 years of completing 9th standard.

Q12: What is the year of your marriage?

A: 1982.

Q13: Is it right that your husband is your mother's younger brother?

A: Yes.

Q14: Is it right that due to that reason your mother is to show extra affection towards you?

A: No

Q15: Is it right that you executed a power of attorney deed in favour of your mother?

A: It was not only me but my other three sisters also executed a Power of Attorney deed in favour of my mother.

Q16: What was the reason for execution of the Power of Attorney deed?

A: My mother and my three sisters came to my house and my mother said that she will construct a house and giving to all four of us. So, all four of us executed a power deed in favour of my mother.

Q17: Is it right that you have given the rights to sell the property and other rights to deal with the property?

A: No, it is not right.

Q18: (Ex.A2 is shown to the witness) Is this the Power deed executed by you?

A: Yes.

Q19: Is it right that Ex.A2 was registered before the Sub Registrar, Konnur?

A: Yes.

Q20: Is it right that the suit property is your father's property?

A: Yes.

Q21: What is the connection between partitioned the property and execution of the power deed?

A: My mother only said all of four of you come and she did not even say where to come and the reason for what we were called upon.

Q22: You have already stated that your mother told all of you that she will divide the property and give it to you but now you are stating that your mother did not tell the reason, which one is correct?

A: My mother came to my house along with my three sisters and asked me all four of us to sign. So, we signed in the document.

Q23: Is it right that you took the Election ID card to the Sub Registrar Office?

A: No, I did not take anything to the Sub Registrar Office.

Q24: At what time did you go to the Sub Registrar's Office?

A: Around 11 A.M.

Q25: What is the time when you came back after registration?

A: I do not remember the exact time.

Q26: When did your mother and your sisters come to your house?

A: Around 10 A.M.

Q27: Where do your mother and sisters reside?

A: They are residing near my house.

Q28: I put it to you that the stamp paper is purchased in your name.

A: I deny and I do not know about it.

Q29: As the stamp paper in Ex.A2 is purchased in your name I put it to you that you had arranged for the preparation of the Ex.A2 document.

A: I deny.

Q30: I put it to you that your mother has cheated you.

A: Yes.

Q31: Have you preferred any complaint against your mother?

A: No.

Q32: I put it to you that as you had received money and executed the Ex.A2 power deed you have not preferred any complaint against your mother thinking that it would go against you.

A: I deny and I am not received any amount.

Q33: (Ex.A2 is shown to the witness) Is it right that Ex.A2 bears your signature?

A: Yes. All 4 of us signed together.

Q34: I put it to you that on the same day of the execution of Ex.A2 power deed you had signed in a receipt and letter of undertaking.

A: No, I have not signed in the receipt and letter of undertaking and it is not my signature and it is not my signature. My signature has been forged.

Q35: Have you taken any steps with regard to the forged signature?

A: I came to know about the forgery only after coming to the Court.

Q36: Even after that till date you have not taken any action?

A: No.

Q37: I put it to you that if you take any steps with regard to the signature in the receipt and letter of undertaking it would be evident that the signature is yours and so you are not taken any steps.

A: I deny.

Q38: Even after the execution of Ex.A2 Power Deed in the year 2014 all of you continued to residing in the same place.

A: Yes.

Q39: Was there any misunderstanding or hatred among you?

A: No.

Q40: I put it to you that you are received the entire amount in 2014 itself and thereafter your mother had obtained the approval and thereafter your sisters and their respective husbands had avail loan and built houses therein and on seeing the houses built therein you have filed this suit after a lapse of two years.

A: I deny receiving money from my mother. I came to know about the houses built in the property only in the year 2016.

Q41: Do you know about the Will written by your father with regard to the suit property?

A: My father did not execute any Will.

Q42: I put it to you that your father had executed and registered a Will and with regard to that Will TOS.No.9/2019 is filed.

A: I deny.

Q43: Are you aware of the testamentary case with regard to the Will?

A: Yes.

Q44: Is it right that your mother and the attesting witness were examined by your advocate in the testamentary case?

A: Yes.

Q45: Is it right that your father was not well for sometime?

A: My father was affected by the paralysis from 1996 till his death in 2010. He was unconscious also.

Q46: In your proof affidavit you are stated that your father purchased the property on 23.08.2002. Is it right that your father was conscious when the property was purchased?

A: No, he was not conscious.

Q47: Is it right that your father was taken to Vellore for treatment?

A: Yes. Witness adds : At that time I was in vellore and I looked after him;

Q48: What was the treatment given to your father?

A: He was treated with country medicine.

Q49: How much was spent for his treatment?

A: I do not remember.

Q50: I put it to you that your father did not stay in your house and you had not looked after him and that is why you are not able to say how much amount was sent for his treatment.

A: I deny.

Q51: I put it to you that all of your sisters together have given you Rs.15 Lakhs and having received it from your mother, you have filed this false case.

A: I deny. Witness adds: No one gave me any money.

Q52: Where is your husband employed?

A: In Railways.

Q53: Whether your husband is still employed?

A: No, he retired 4 years back.

Q54: Whether your husband was earning well?

A: Yes.

Q55: Is it right that out of his salary you purchased house?

A: Yes, we avail loan and purchased the house.

Q56: Were you employed?

A: NO.

Q57: I put it to you that as already your husband was paying a house loan you had received the amount from your mother since you will not be able to avail another loan and after seeing the houses built in the property you have filed this false case.

A: I deny.

Q58: Is it right that Ex.A1 to Ex.A15 were received by you from the Sub Registrar Office?

A: Yes.

Q59: Whether you had received the encumbrance certificate along with the Ex.A1 to Ex.A15 documents?

A: No.

Q60: I put it to you that if the encumbrance certificate is filed in the Court it would be evident that the defendants (2 to 7) had availed loan and constructed the houses in the property, you have wantonly omitted to file the encumbrance certificate.

A: I deny.

Q61: Is it right that your mother had executed a settlement deed in your favour?

A: I do not know about it.

Q62: Whether your mother had stated about the settlement deed in the written statement?

A: I do not know.

Q63: You have not claimed any right as per settlement deed.

A: No, I have not claimed.

Q64: What was your mother's educational qualification?

A: She had studied PUC and was employed in State Government.

Q65: Do you know in which department your mother was employed?

A: King Institute, Guindy

Q66: Who took care of your father after your marriage?

A: After my marriage, till 1982 my father was healthy.

Q67: I put it to you that your father did not have any belief on his daughters and so he had executed a Will in favour of your mother.

A: I deny. My father has not executed any Will.

Q68: After 1996 till the death of your father how many times you had visited your father?

A: My parents were residing with me till my father's death and I looked after him.

Q69: Where is your mother residing after your father's death?

A: She was residing with my sister.

Q70: Is it right that your mother had retired when your father expired?

A: Yes.

Q71: When did your father retire and in which department he was working?

A: Initially he was in the Military thereafter he worked in United India Insurance Company and he was affected by paralysis during his tenure.

Q72: Is it right that your father had left his job even before his retirement?

A: As my father fell ill, he gave VRS and his job was given to my sister.

Q73: In which year he gave VRS?

A: In 1996.

Time : 04.43 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