

BEFORE THE ADDITIONAL MASTER-II
HIGH COURT, MADRAS
CS.No.791 of 2014.

Date: 09.12.2025

Time: 01.05 PM

Name :Mr.K.Magesh (DW2)

Cross Examination by Mr. P.L.Narayanan, Learned Counsel for Plaintiff.

Solemnly Affirmed:

Q1: How many times have you entered into the witness box after being recalled?

A: This is the 3rd time I have been recalled to give oral evidence.

Q2: Last 20 years of your father's lifetime he lived with your sisters and not with you or your brothers. Is it correct?

A: I deny this. Witness adds: All the time my father was with me and my brother.

Q3: Do you agree that there was a Will of Muthukrishna Reddiar which he himself cancelled ?

A: He executed and cancelled the Will.

Q4: Do you agree that neither that Will nor its contents are legally enforce today?

A: I deny.

Q5: (Ex.P7 is shown to the witness). In what capacity did you, your brother and mother execute settlement deed, Ex.P7 in favour of your father on 10.12.2012?

A: I do not know. Witness adds: Since my father asked me to sign, I signed.

Q6: Do you agree that whatever documents you have signed touching upon the

properties of the family were pursuant to your father's request to sign and you signed accordingly?

A: Yes, it is so.

Q7: (Ex.P7 is shown to the witness). When Ex.P7 was executed by yourself, your brother Veera Raghavan and mother Vijayalakshmi in favour of your father, you executed the document as owners of the properties described in the document?

A: I do not know the contents of the document.

Q8: (Ex.P7 is shown to the witness). The contents of the document Ex.P7 makes it clear that you and your brother are owners of the property found in the schedule to the document and in that capacity you have executed Ex.P7 in favour of your father. What have you got to say about it?

A: Yes, it is so.

Q9: Before Ex.P7, could you tell this Hon'ble Court as to how you and your brother have become owners of the schedule properties under Ex.P7?

A: I do not know how me and my brother become owners of the schedule properties described under Ex.P7.

Q10: Was there any family partition between yourself, your mother, your father and brother on 02.04.1983?

A: I do not know.

Q11: I put it to you that your sisters were also the owners of the property belonging to the family when you and your brother were owners of the property on the date when Ex.P7 was executed.

A: I do not know.

Q12: I put it to you that your father was not able to take decision on his own as regards the family properties because there was lot of pressure on him from his children.

A: I deny.

Q13: Are you aware of the fact as to whether there was any pressure on your father from your sisters for settlement of few properties in their favour?

A: I do not know.

Q14: Are you aware that your father has claimed that you and your brother have put undue pressure on him to settle against his Will to settle certain properties in your and your brother's favour?

A: I do not know.

Time : 01.30 PM

Continuation Time: 03.00 P.M

Solemnly Affirmed:

Q15: As per Ex.P7 your father gets title to the properties under Ex.P7 and therefore prior to 2012 your father did not possess title to those properties mentioned in Ex.P7. Do you agree?

A: I deny.

Q16: Can you explain how do you deny the answer to Q.No.15?

A: As per 1968 partition deed his sisters and my father became owners of certain properties and Ex.P7 properties is also part of the properties allotted to my father.

Q17: Therefore, in between 1968-2012 your father ceased to be the owner of the properties mentioned in Ex.P7.

A: I deny. He was the owner of the properties in Ex.P7 even in 2012.

Q18: In the light of your answer to Q.No.17, why did you execute the settlement deed (Ex.P7) along with your brother and mother in favour of your father?

A: As per the instructions of my father.

Q19: Is your father a habitual liar?

A: I deny.

Q20: Whatever your father has said, written and done are actual true facts. Do you agree?

A: Yes.

Q21: (Ex.D6 is shown to the witness). When you gave evidence in past in the above suit, Ex.D6 was there with you. Is it not?

A: No.

Q22: Where is the original of Ex.D6?

A: I am having it.

Q23: When you have the original, why are you not filing the original and filed the certified copy?

A: The original was in the custody of my advocate. He passed away. So, we got the document now.

Q24: You have at different times given different versions regarding your ownership over the suit properties, today can you tell this Hon'ble Court as to how you and your brother (D3 and D4) claim exclusive ownership for the suit property?

A: Today we say we are the owner of the suit property only according to 2012

Settlement Deed executed by my father.

Q25: At any point of time did your mother become owner of any of the suit properties?

A: No.

Q26: If your mother was not the owner of any of the suit properties at any point of time why did she join in the execution of Ex.P7?

A: As per my father's instruction.

Q27: After your father's demise and before your mother could pass away your mother have also joined in the renewal of the lease deed in respect of the petrol bunk in one of the suit properties, when she was not the owner why did she joined in the renewal of lease deed in favour of IOC?

A: I deny, she never signed after my father's death.

Q28: Before your father's demise she signed in the lease deed with IOC though she was not the owner of any of the suit properties at any point of time?

A: She signed as per my father's instruction.

Q29: I put it to you that in order to deprive your sister's of their due shares in the suit properties you have now given false evidence.

A: I deny.

Time : 03.20 PM

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-II