

BEFORE THE ADDITIONAL MASTER I,
HIGH COURT, MADRAS

T.O.S.No.68 of 2013

Date : 30.10.2023

Time : 12.55 P.M.

Name : Mr.A.Selvaraj

Age : 64 Years

Father's Name : Mr.Arumuga Naicker

Residential Address : No.01/03, Irratai Vadau Pillaiarkoil Street,
Venbedu Post, Thiruporur, Kancheepuram
District 600 110.

PW1 examined in chief by Mr.C.Ramesh, Learned Counsel for the
Plaintiff.

Solemnly affirmed:

I am the Plaintiff herein. I am filing my proof affidavit stating the facts of this case and the same may be treated as part and parcel of my examination-in-chief. The following documents may be marked as exhibits.

Ex.P1 is the Original Will dated 28.09.1995 executed by the Testator Mr.Narayanaswamy Naikar.

Ex.P2 is the Original Will dated 05.12.1995 executed by the Testator Mr.Narayanaswamy Naikar.

Ex.P3 is the copy of the notice issued by the 1st Defendant's husband to plaintiff dated 23.03.1998.

Ex.P4 is the copy of reply notice dated 11.05.1998 issued by the plaintiff's advocate to the notice dated 23.03.1998.

Ex.P5 is the Paper Publication dated 04.01.2013 effected in Makkal

Kural.

Ex.P6 is the Paper Publication dated 19.01.2013 effected in News Today.

Time: 01.10.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 – I

BEFORE THE ADDITIONAL MASTER I,
HIGH COURT, MADRAS

T.O.S.No.68 of 2013

Date : 22.01.2024

Time : 12.50 P.M.

Name : Mr.A.Selvaraj

Cross Examination by Mr.Krishnamoorthy , the learned counsel for the defendants.

Solemnly affirmed:

Q1: How Narayanaswami Naickar related to you?

A: He is my father's brother.

Q2: Is Arumuganaicker your father?

A: Yes.

Q3: Is it correct to say that Narayanaswamynaicker & Arumuganaicker are the sons of Gopala Naicker?

A: Yes.

Q4: How many female children to Gopala Naicker?

A: 3 daughters. Their names are Kuttima, Lakshmi and Shanthi.

Q5: Are they younger to you?

A: No.

Q6: Is it correct to say that you were all residing at Vepedu Village, Thiruporur, Chengalpattu District?

A: Yes.

Q7: Who is Tulukanammal?

A: She is the wife of Narayanaswamy.

Q8: Was Gopal Naicker doing business along with Arumuganaicker and Narayanaswamynaicker?

A: Yes. They engaged in Milk Business.

Q9: Have you stated the details of your ancestors in your plaint?

A: I have not stated, since I have not known the exact details.

Q10: Is it correct to say, The Ex.P2 Will dated 05.12.1995 was executed by Narayanaswamy Naicker and same was handed over to petitioner by the petitioner's father?

A: Yes.

Q11: When the Will was handed over to you?

A: It was not handed over to me.

Q12: What was your occupation?

A: I was employed in TVS Lucas, I had completed Old S.S.L.C..

Q13: Are you aware of the contents of your proof affidavit?

A: I am not aware of the contents.

Q14: Is it correct to say that Marinaicker sent a Legal Notice dated 23.03.1998 to you?

A: Yes.

Q15: Is the Will dated 05.12.1995 which was executed by Narayanaswamy Naicker registered One?

A: It was not registered. It was written in home.

Q16: At whose house it was written?

A: May be, it was written at Teynampet.

Q17: Do you know Narayanaswamy Naicker executed another Will dated 28.09.1995?

A: Yes, I know.

Q18: When did you know about the said Will?

A: 2013.

Q19: Have you stated the details of the Will dated 28.09.1995 in your plaint?

A: I have stated.

Q20: I put it to you that you have not stated the details of the Will dated 28.09.1995 in your plaint and you are deposing falsely as the same has been stated in your plaint.

A: I do not know.

Time: 01.16.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 - I