

BEFORE THE ADDITIONAL MASTER-III
THROUGH VIDEO CONFERENCE
HIGH COURT, MADRAS.

C.S.No.366 OF 2021

Date: 09.07.2026

Time: 02.30 P.M.

Name : Mr.N.Srinivasan (DW1)

Continuation of cross Examination by Mr.K.Chandrasekaran, Learned counsel for the plaintiffs.

Solemnly Affirmed:

Q46: Your sister Bhuvaneshwari and her family lived in the suit property from November 1982 till May 1992. Is it right?

A: Yes.

Q47: At that point of time, your father and mother were living separately at Triplicane. Is it right?

A: Yes.

Q48: Your sister Bhuvaneshwari and her family, after her marriage, never lived in Triplicane?

A: I deny. Witness adds: She lived for two years.

Q49: Kindly tell the period?

A: 1977-1979, soon after her marriage.

Q50: Thereafter she lived separately with her own family?

A: It was a brief period and thereafter, in 1982 they moved into my parents' house.

Q51: I put it to you that there were no antique articles, idols, brass articles etc as alleged by you.

A: I strongly deny this. As I have mentioned in my statements there were a good amount of antique articles, idols, brass articles and silver articles.

Q52: I put it to you that you never contributed Rs.4.5 Lakhs for the additional construction of ground floor and first floor.

A: I strongly deny this. Witness adds: I contributed the said amount.

Q53: (Ex.D6 is shown to the witness through scanner) Can you read the cheque number found in the first page of Ex.D6 shown to you?

A: Yes, I can read it 832026.

Q54: Is it correct to state that it is the cheque book number and that it contains 25 cheque leaves with the number starting from 832026?

A: I am not able to see it from here.

Q55: (Second page of the Ex.D6 is shown to the witness through scanner) Can you read the number of the cheque leaves in the second column of the document shown to you?

A: I cannot read from here through the scanner.

Q56: (Ex.D7 is shown to the witness through scanner) Likewise, in Ex.D7 can you read the number in bold letters?

A: 868801

Q57: (Ex.D7 is shown to the witness through scanner) Are you able to read that this cheque book also contains 25 leaves?

A: I am able to make out the number 25 but I am not able to make out what it is.

Q58: (Second page of the Ex.D7 is shown to the witness through scanner) Can you read the number of the cheque leaves in the second column of the document shown to you?

A: I cannot read from here through the scanner.

Q59: You have not filed the bank pass book to show the entries therein?

A: Whatever document I had, I have filed it. Some of the documents were in Triplicane with the plaintiffs 1 and 4, when I left.

Q60: Have you ever stated so in your written statement?

A: Yes, I have stated so in my written statement.

Q61: Do you remember the total amount reflected in Ex.D6 and Ex.D7?

A: I do not remember the total.

Q62: Do you admit that the additional construction was done between 1991 and 1994?

A: Yes, whatever I have stated in my written statement.

Q63: Am I right in saying that your alleged contribution was only between 1991 and 1994?

A: As I said, I was working for 14 years when I was in India and I was contributing all the 14 years.

Q64: Do you remember what are the additional construction for which you contributed?

A: Additional construction was done in two phases, one in 1991 and one in 1994. I have contributed during both the phases.

Q65: What is the additional construction?

A: Two bathrooms in the ground floor, additional staircase and modification of the kitchen in the ground floor and the complete upstairs.

Q66: You have stated in your written statement in para 5 as follows “Infact the said father late A.S.Nataraja Sharma wanted to improve the building by extending the ground floor and built another staircase and a property first floor in order to benefit the plaintiffs” Am I right in saying that the additional construction was for the benefit of the plaintiffs?

A: The additional construction was for the benefit of the entire family.

Q67: The alleged contribution by you was for the benefit of the entire family?

A: Including me.

Q68: The Corporation Tax for the property always stood in the name of your mother?

A: Yes. Because the property was bought in my mother's name.

Q69: I put it to you that you have not contributed Rs.4.5 Lakhs as alleged by you.

A: I strongly deny.

Q70: I put it to you that you are not entitled to 6/10th share in the building.

A: I deny.

Q71: Do you know the present condition of the building?

A: I am not there right now and therefore, I cannot comment on it.

Q72: When did you last visit India?

A: In 2022.

Q73: (Ex.D14 is shown to the witness) You had taken a selfie with the building. Is there any date in the photograph, Ex.D14?

A: When I took the photograph, the date might not have come.

Q74: Did you go inside the building?

A: Yes.

Q75: Who was there?

A: First, I met the watchman and he took me inside an office where a lady was there and I spoke to her.

Q76: Did you enquire from her about the rent paid by the school to the owners?

A: Yes.

Q77: What was her reply?

A: She said Rs.1.5 Lakhs per month.

Q78: Did you ask for any documentary evidence?

A: I did not.

Q79: Did you confront your brother and sisters about the rent said to have been paid by the tenant?

A: No, because already the case was filed by them.

Q80: I put it to you that the rent is not 1.5Lakhs as alleged by you, it is Rs.72,500/- per month.

A: I strongly deny this.

Q81: I put it to you that the 4th plaintiff never removed any jewelery from the corpse of your mother.

A: I strongly deny this. Witness adds: I immediately visited India and performed my mother's cremation and last rites.

Q82: I put it to you that the school was run between March 2009 and March 2020.

A: I deny.

Q83: I put it to you that the school vacated during Covid.

A: I strongly deny, it was temporarily closed.

Q84: Do you admit that till the death of your mother, she was receiving the rent?

A: No, I strongly deny it.

Q85: Your sister 4th plaintiff is a spinster?

A: Yes.

Q86: What is her educational qualification?

A: M.A., M.Phil.

Q87: Do you know that she used to take tuition classes for children and students?

A: I strongly deny it.

Q88: Do you know that she has paid Income Tax for the amount received by her on account?

A: The bank statement provided by them contains all the Fixed Deposit transferred by my mother to her bank account and she could have paid Income Tax for the income she received from it .

Q89: Did your mother pay Income Tax?

A: I do not know.

Q90: What was the income of your mother?

A: My father used to put deposit in my mother's name and used to buy jewelery for my mother.

Q91: When did your mother die?

A: On 12.10.2009.

Q92: (Ex.P9 is shown to the witness through scanner) The amounts reflected in Ex.P9 are all dated 17.09.2010. Do you admit?

A: Yes.

Q93: So, you mean to say that 11 months after the death of your mother, she has transferred the amount?

A: Using the Legal Heir certificate, the 4th plaintiff got the amount transferred to the account after the maturity of the FDs. Witness adds: I am also a legal heir of my mother.

Q94: Did you give consent for the closure of the FD and to transfer the amount into the account of the 4th plaintiff?

A: No.

Q95: Have you seen Ex.P9 the bank account statement of the 4th plaintiff?

A: Yes.

Q96: In that Ex.P9 there are 6 entries dated 17.09.2010, totally a sum of Rs.26,22,534/-. Do you remember or you have to see Ex.P9 to say?

A: Originally I saw it, but I cannot remember it now.

Q97: Do you remember that these entries were closed i.e, the deposits were closed and the proceeds are reflected in the entry dated 20.04.2019?

A: I have to see it again but not through the scanner.

Q98: Is it right that you have mentioned some transactions at Page 7 of your reply statement dated 24.02.2023?

A: Yes.

Q99: Do you mean to say that these amounts were paid by your father-in-law to the first plaintiff, Sairam?

A: Yes.

Q100: Do you mean to say that your father-in-law is trying to claim it back?

A: No. Whenever the situation arose my father-in-law gave it to Sairam.

Q101: I put it to you as stated by the plaintiff, your wife has encashed two cheques in 2019.

A: The cheques encashed by my wife was partially for the repayment of the money given by my father-in-law.

Q102: I put it to you that except the mangalsutra and two earrings worn by your mother, she did not own any valuables or jewelery as stated in Schedule A of your counter claim.

A: I strongly deny this. Witness adds: After my statements, only now they are coming with two items and originally they had said that she had nothing.

Q103: I put it to you that having not stated in your reply notice, it is an afterthought to claim share in the items said to have been owned by your mother in Schedule A.

A: I strongly deny.

Q104: What is the purpose of filing this Ex.D10 photographs?

A: The purpose is to show that my mother and father were wearing lot of jewelery.

Q105: (Ex.D10 is shown to the witness through scanner) Am I right in saying that the list of jewelery given in your counter claim is reflected on your mother and father in Ex.D10 series photograph?

A: Not all the jewelery are reflected.

Q106: (Ex.D9 is shown to the witness through scanner) The purpose of filing Ex.D9 is to show that your mother was wearing jewelery. Am I right?

A: Yes.

Q107: I put it to you that you are not entitled to the counter claim as claimed by you.

A: I strongly deny.

Time : 03.55 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