

BEFORE THE ADDITIONAL MASTER I,
HIGH COURT, MADRAS

C.S.No.520 of 2019
&
C.S.391 of 2019

Date : 24.04.2024

Time : 04.55 P.M.

Name : Mr.I.Ameen Ahamed (PW2)

Age : 39 Years

Father's Name : Mr.K.Iqbal Hussain

Residential Address : 11/9, Srinivasapuram, Pattinampakkam,
Chennai – 600 028.

PW2 Chief Examination by Mr.MD. Jaffar Sadiq, the learned counsel for the Plaintiff.

Solemnly affirmed:

I am the Secretary of 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.

Time: 05.00 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

C.S.No.520 of 2019
&
C.S.391 of 2019

Date : 03.06.2024

Time : 12.05 P.M.

Name : Mr.I.Ameen Ahamed (PW2)

PW2 Chief Examination Continuation by Mr.N.A.Nassir Hussain, the learned counsel for the Plaintiff.

Solemnly affirmed:

Ex.P12 is the photocopy of the Newspaper Articles. (The learned counsel for the defendant objects to mark the document. Document Marked subject to proof and relevancy).

Ex.P13 is the photocopy of the letter communication of the respondent dated 05.01.2023. (The learned counsel for the defendant objects to mark the document. Document Marked subject to proof and relevancy).

Ex.P14 is the photocopy of the Press Release by the Respondent dated 21.07.2022 and 19.10.2023. (The learned counsel for the defendant objects to mark the document. Document Marked subject to proof and relevancy).

Ex.P15 is the Video Clipping of the Respondent in Newsmedia in Electronic Pendrive Device.

Ex.P16 is the photocopy of the Face book Posting of the Respondent.

Time: 12.15 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

C.S.No.520 of 2019
&
C.S.391 of 2019

Date : 04.07.2024
Time : 01.05 P.M.

Name : Mr.I.Ameen Ahamed (PW2)

PW2 Cross Examination by Mr.S.S.Rajesh, the learned counsel for the Defendant.

Solemnly affirmed:

Q1: For how long are you working with the Plaintiff (T.M.M.K.)?

A: Since 2009.

Q2: Do you know Mr.Hyder Ali personally?

A: Yes.

Q3: What is the nature of your work in T.M.M.K.?

A: I am the Secretary, Head Office.

Q4: Have you come across various communications issued by Mr.Hyder Ali as a General Secretary prior to June 2019?

A: No.

Q5: What was your position in T.M.M.K prior to 2020?

A: P.A to the President.

Q6: When you were the P.A to the president, have you come across any of the communications issued by Mr.Hyder Ali while such communications are considered and handled by the President?

A: No.

Q7: Ex.P12 is shown to the witness. Can you identify in which Newspaper and date on which the Article was published?

A: Dinamalar, July 15. I do not remember the year.

Q8: From where did you take the photocopy of the Article and do you have the original with you?

A: I have taken from the Facebook Post. I do not have the Original.

Q9: Is this the Proof Affidavit filed by you?

A: Yes.

Q10: Kindly go through that and inform the Court that these news articles are taken from Facebook post?

A: Yes.

Q11: Can you Identify from the proof affidavit from where you have said that these news articles are taken from Facebook post?

A: Para 4 of V of the Proof Affidavit.

Q12: The document referred in Para 4 of V is Ex.P16. Isn't it?

A: Yes.

Q13: From whose Facebook post, have you taken the Ex.P12 News articles and Ex.P16?

A: I do not remember.

Q14: Do you know how Mr.Hyder Ali would put his signature?

A: Yes.

Q15: Ex.P13 and Ex.p14 are shown to the witness. Can you identify the signature therein are the signature of Mr.Hyder Ali?

A: Yes.

Q16: Have you seen the Written Statement filed by Mr.Hyder Ali in C.S.520 of 2019?

A: No.

Q17: Is there a difference between the signature of Mr.Hyder Ali in the Written Statement filed in C.S.520 of 2019 and in Ex.P13 & Ex.P14?

A: Yes.

Q18: Ex.P13 and Ex.P14 are shown to the witness. These communications are not addressed to T.M.M.K, from whom did you obtain the copies of the same?

A: From Facebook posting.

Q19: Do you remember from whose Facebook post you have taken these Ex.P13 and Ex.P14?

A: I.M.M.K.

Q20: Kindly check your proof affidavit and inform the Court as to whether you have stated anywhere in the Proof Affidavit that Ex.P13 and Ex.P14 were taken from I.M.M.K Facebook Post?

A: No, it is not mentioned anywhere that it has been taken from I.M.M.K Facebook Post.

Q21: You have said that Ex.P12 series and Ex.P13 and Ex.P14 were taken from Facebook Post that means that you would have downloaded from the Computer?

A: Yes.

Q22: Have you filed 65-B Certificate for Ex.P12 and Ex.P13?

A: No.

Q23: Is it right to say that the contents referred in Ex.P12 to Ex.P16 are all post 2019?

A: Yes.

Q24: Do you know when I.M.M.K which is referred to in Para 2 of your Proof Affidavit was formed?

A: In the year 2022.

Q25: In the 65-B Certificate filed along with Ex.P15 have you mentioned the details of the Computer that was used to download the content?

A: No.

Q26: In the 65-B Certificate filed along with Ex.P16 have you mentioned the details of the Computer that was used to download the content?

A: No.

Q27: Do you know what is the content in Ex.P15 Sandisk?

A: It is a Press meet of Mr.Hyder Ali.

Time: 01.40 P.M

Taken down in open Court, read over 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

C.S.No.520 of 2019
&
C.S.391 of 2019

Date : 25.07.2024
Time : 01.40 P.M.

Name : Mr.I.Ameen Ahamed (PW2)

PW2 Continuation of Cross Examination by Mrs.R.Nandhini, the learned counsel for the Defendant.

Solemnly affirmed:

Q28: Is it right to state that all the documents filed by you are referring to an event that are post filing of the suit?

A: Yes.

Q29: Ex.P12 to Ex.P16 are shown to the witness. Is it right to state that since Ex.P12 to Ex.P16 filed by you are referring to events much later than filing of the suit, they have no relevance or impact on the relief sought for in the present suit?

A: I deny. All the documents are relevant to the case.

Q30: Complaint in C.S.520 of 2019 is shown to the witness. Is it right to say that the complaint has been filed on 30.08.2019?

A: Yes.

Q31: Is it right to state that the date of the exhibits Ex.P12 to Ex.P16 are subsequent to the date of filing of Suit?

A: Yes.

Q32: I put it to you that none of the documents filed by you in Ex.P12 to Ex.P16 are relevant to this suit and its relief?

A: I deny.

Q33: I put it to you that since there is no material available to substantiate the suit relief, you are falsely seeking to prejudice the minds of the Court by filing documents which are of no significance or relevance?

A: I deny.

Q34: I put it to you that you are only a witness set up by the president of Tamil Nadu Muslim Munetra Kazhagam and you are not aware of any of the facts of the case?

A: I deny.

Time: 01.55 P.M.

Taken down in open Court, read over 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

C.S.No.502 of 2019

Date : 24.10.2024

Time : 02.55 P.M.

Name : Mr.M.Mohamed Mustafa (PW 3)

Age : 45 Years

Father's Name : Mr.Mohamd Ismail Jinna

Residential Address : 4/503 A, Thirupathi Nagar,
Sengamalanachiyarpuram Road, Sivakasi,
Virudhunagar – 626 123.

PW3 Chief Examination by Ms.M.Nuzhath Khanam, the learned counsel for the Plaintiffs.

Solemnly affirmed:

I am the witness 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.

Time: 03.00 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

C.S.No.502 of 2019

Date : 04.04.2025

Time : 02.25 P.M.

Name : Mr.R.Anifa Ravuthar Naina Mugahammed(PW 4)

Age : 73 Years

Father's Name : Mr.Ravuthar Naina Mugahammed

Residential Address : 157, 1st Block, 24th Street, Muthamil Nagar,
Kodungaiyur, Chennai – 626 123.

PW4 Chief Examination by Mr.I.Kowser Nissar, the learned counsel for the Plaintiffs.

Solemnly affirmed:

I am the witness 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.

Time: 03.00 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

C.S.No.502 of 2019

Date : 27.06.2025

Time : 12.59 P.M.

Name : Mr.M.Mohamed Mustafa (PW 3)

PW3 Cross Examination by Mr.S.S.Rajesh, the learned counsel for the Defendants.

Solemnly affirmed:

Q1: Have you filed any document disclosing your identity that you are Mr.Mohamed Mustafa?

A: Yes. I have filed.

Q2: Witness is shown the exhibits filed by the plaintiff and asked to identify the document of identity filed by him before the Court?

A: It is not there.

Q3: What is your relationship with the Plaintiff Trust?

A: I got nothing to do with the Trust.

Q4: On whose instance have you come before the Court to render evidence as PW3 in the present suit?

A: I have come here to render evidence at the instance of Mr.Jawahirullah the President of the Trust.

Q5: Do you know for what purpose the present suit has been filed?

A: Yes. I know. The suit has been filed to declare that Mr.Jawahirullah as the President of the Trust.

Q6: Have you read the Plaint filed in support of the present suit?

A: Yes. I have read.

Q7: Witness is shown the relief paragraph of the Plaint at page 14. Can you check and say whether the suit is filed for the purpose/ relief as answered by you to the previous question?

A: No. The relief is different.

Q8: As per paragraph No.2 of your proof affidavit Mr.Hyder Ali had convened a meeting at the residence of Mr.O.U.Rhamathullah on 26.03.2019 at Taramani. Isn't it?

A: Yes.

Q9: How did you come to know about the said meeting?

A: I was informed by the office bearers of the Trust.

Q10: When and where the office bearers informed you about the said meeting held on 26.03.2019?

A: I do not remember.

Q11: Do you atleast remember as to who told you about the meeting said to have been held on 26.03.2019?

A: I do not remember.

Q12: Likewise in paragraph 2 you have mentioned that Mr.Hyder Ali had conducted the meeting at Thoothukudi on 28.04.2019. Isn't it?

A: Yes.

Q13: Who informed you about the said meeting?

A: I do not remember.

Q14: Likewise in para 2 of your proof affidavit you have mentioned as Mr.Hyder Ali and his sympathizers have made false propaganda and allegations through Social media, Websites and within the organizations members defaming the organization and its leaders. Do you when was the false propaganda was made by Mr.Hyder Ali and his Sympathizers?

A: It came in print media by name Minnambalam and Vikadan.

Q15: Have you filed those print media copies before this Hon'ble Court?

A: No.

Q16: Do you atleast remember as to on which date these print media refer to in answer to Q.No.14 was published?

A: I do not remember.

Time: 01.20 P.M

Taken down in open Court, read over and the same is admitted by the witness to be correct and signed before me.

ADDITIONAL MASTER – I