

BEFORE THE ADDITIONAL MASTER IV,  
HIGH COURT, MADRAS  
T.O.S.No.68 OF 2024

Date: 19.11.2025  
Time : 11.35 A.M.

Name : Mrs. N. Vaijayanthi Bai (PW2)

Cross examination by Mr. K.B. Gopi, Counsel for the defendant.

Solemnly affirmed:

Q1: Who has filed this suit?

A: My elder sister's son, Prakash.

Q2: Seeking what relief, has your sister's son filed this suit?

A: He has filed the suit in respect of the property bequeathed by his father to him through Ex.P1, Will.

Q3: I put it to you that your elder sister's husband (A. Kuppu Rao) did not execute Ex.P1, Will as no sale deed was executed in his favour and that he was only a lease cum sale agreement holder.

A: I deny.

Q4: I put it to you that your elder sister, Kasthuri Bai is disqualified as an attesting witness as she is an interested witness.

A: I deny.

Q5: I put it to you that the consent affidavit filed by your elder sister, Kasthuri Bai is also invalid.

A: I deny.

Q6: When did you settle in Mysore?

A: In 1975.

Q7: In para 3 of your proof affidavit, you have stated that you have settled in Mysore for 40 years and now you have deposed that you settled at Mysore in 1975. Which of your statements are correct?

A: I settled in Mysore in 1975 after my marriage and that is correct.

Q8: How many siblings do you have?

A: I have 4 siblings.

Q9: Is it correct to state that your elder sister, Kasthuri Bai confided only in you?

A: We were very close, she used to talk to the other siblings also.

Q10: When did your elder sister, Kasthuri Bai inform you about her husband having executed a Will?

A: I think, it was some time in 1998.

Q11: When did your elder sister's husband, Kuppu Rao die?

A: April, 2022.

Q12: I put it to you that your statement that your elder sister informed you about the Will in 1998 is false.

A: I deny.

Q13: In para 10 of the plaintiff, it has been stated that the plaintiff came to know about the Will after the demise of his father from his mother, the 1<sup>st</sup> defendant herein in 2022. What do you say?

A: Yes. After the demise of my elder sister's husband, while we were looking into his papers, the Will was found in my elder sister's house. I was also present.

Q14: I put it to you that you came to know about the Will only in 2022 and that your statement that you were aware of it in 1998 is false.

A: I deny. Witness adds: I was informed about it in 1998.

Q15: When did your elder sister inform you about the filing of the original petition?

A: In the year 2022.

Q16: I put it to you that you were not informed in 2022 as the petition was filed in 2023 and that you are giving false evidence before this court.

A: I deny.

Q17: You have stated that you are acquainted with the hand writing and the signatures of the testator and the deceased 1<sup>st</sup> defendant from the letters written by them to you. Have you filed any of those letters before this Hon'ble Court?

A: No.

Q18: On what basis, have you stated that you can identify the signatures of the testator and the deceased 1<sup>st</sup> defendant, your sister?

A: On seeing their signatures only. Witness adds: My elder sister's husband signature would look like a scribbling but my elder sister used to sign clearly.

Q19: I put it to you that Kuppu Rao did not execute any Will.

A: I deny.

Q20: I put it to you that you are deposing falsely before this Hon'ble Court in favour of the plaintiff.

A: I deny.

Q21: I put it to you that the plaintiff has filed the suit without any basis and the suit is liable to be dismissed.

A: I deny.

Re-Examination : Nil.

Time: 12.01 P.M.

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

ADDITIONAL MASTER-IV

BEFORE THE ADDITIONAL MASTER IV,  
HIGH COURT, MADRAS  
T.O.S.No.68 OF 2024

Date: 19.11.2025  
Time : 12.02 P.M.

Name : Mrs. Shanthi Bai (PW3)

Cross examination by Mr. K.B. Gopi, Counsel for the defendant.

Solemnly affirmed:

Q1: How many siblings, do you have?

A: I have 3 siblings, one elder brother, Sooriya Prakash and two younger brothers, Ramesh and Suresh who are no more.

Q2: When did you settle in Mysore?

A: After my marriage in 1988.

Q3: I put it to you that your father did not execute a Will on 06.01.1998.

A: I deny.

Q4: I put it to you that your father was only a lease cum agreement holder of the property and that he had no sale deed in his favour and therefore, he could not have executed a Will.

A: I deny.

Q5: I put it to you that you have filed a consent affidavit favouring your elder brother, the plaintiff herein.

A: Yes.

Q6: On what basis, have you stated that you are familiar with the hand writing and signatures of your parents?

A: My father and mother used to sign in our report cards and at the time of my marriage, there was no mobile phone and my parents used to write letters to me and therefore, I am familiar both with their hand writing and signatures.

Q7: Have you filed any of those letters before this Hon'ble Court?

A: No.

Q8: On what basis, have you stated that the signatures of your parents in Ex.P1, Will are theirs?

A: As I know their signatures, I am stating so.

Q9: Have you asked your father as to why the property was bequeathed only to your elder brother, the plaintiff and not to the other children of your father?

A: No. I did not ask.

Q10: I put it to you that your father did not execute Ex.P1, Will as he was not the owner of the suit property and that all that you have deposed before this Hon'ble Court is false favouring your brother, the plaintiff.

A: I deny.

Re-Examination : Nil.

Time: 12.14 P.M.

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

ADDITIONAL MASTER-IV