

BEFORE THE ADDITIONAL MASTER IV,
HIGH COURT, MADRAS
C.S.No.104 OF 2022

Date: 09.12.2024

Time : 01.15 P.M.

Name : Mr. K. Dhanasekaran (DW1)

Continuation of Cross examination by Mr. S. Nambi Arooran, the
counsel for the plaintiff.

Solemnly affirmed:

Q69: (A certified copy of Power of Attorney shown to the witness.) Is
this the power of attorney executed by all the defendants in favour of
myself and Arul John Bosco?

A: Yes. The certified copy of the Power of Attorney executed by all the
defendants in favour of myself and Arul John Bosco dated 15.12.2021 is
marked as Ex.P13.

Q70: Have you stated anywhere in your proof affidavit or in your written
statement about the Ex.P13 Power of Attorney?

A: I do not remember.

Q71: Have you cancelled Ex.P2 sale agreement?

A: No. We have not cancelled it yet. Witness adds: We called upon Mr.
John Venkatesan, he did not come forward to cancel the sale agreement.

Q72: I put it to you that to say that you have called upon Mr. John
Venkatesan and he did not come forward to cancel the sale agreement is a
false statement and you are lying before this court.

A: I deny. Witness adds: We have sent legal notice to the plaintiff and
we are ready to return the advance amount and vacate the suit premises.

Q73: Through whom you have sent the legal notice to the plaintiff?

A: In 2011, we sent legal notice through Advocate Chandrasekaran and
after 2018, another notice was sent through Advocate Karthikeyan.

Q74: How many notices you have sent through Advocate Karthikeyan?

A: Three notices.

Q75: (Exs.D3 and D8 are shown to the witness.) Are these notices sent through Advocate Karthikeyan?

A: Yes.

Q76: Ex.D3 is dated 25.01.2019 and Ex.D8 is dated 06.11.2017, is it correct?

A: Yes.

Q77: Is there any other notices apart from Exs.D3 and D8 filed before this court?

A: No. Witness adds: Another notice was returned.

Q78: I put it to you that Ex.D3 and Ex.D8 does not say that you have cancelled the sale agreement dated 07.05.2018.

A: I do not know.

Q79: Whether they have stated in Ex.P13 for what purpose they have given Power of Attorney in your favour and Mr. Arul John Bosco by the principals?

A: The principals have given power because they cannot come forward more often to deal with the suit schedule property.

Q80: I put it to you that in page 5 of Ex.P13 it is stated that one of the purposes for executing this General Power of Attorney deed is to cancel the agreement of sale dated 11.03.2010, memorandum of understanding dated 26.02.2018 and registered agreement of sale dated 07.05.2018, registered as Doc.No.2503/2018 at SRO, Purasawalkam.

A: Yes.

Time: 01.42 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