

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

Date: 07.02.2024

Time : 10.56 A.M.

Name : Mr. John Venkatesan (PW1)

Cross examination by Mr. P.T. Perumal, the counsel for the defendants 3
to 5, 9 & 10.

Solemnly affirmed:

Q1: What is your educational qualification?

A: SSLC.

Q2: But you are conversant in English language, is it correct?

A: Yes.

Q3: Are you preaching in English or Tamil?

A: Most of the time in Tamil, if necessary I am capable of preaching in English.

Q4: Do you know each and every defendants by face and name?

A: Dhasaradhan, Dhananjayan, Dhanasekaran, Saravana Perumal are known to me. I do not know about the other defendants .

Q5: Where is your house?

A: No.133, Medavakkam Tank Road, Kilpauk, Chennai – 10.

Q6: What is the distance between your residence and suit schedule property?

A: Approximately 2 kilometers.

Q7: Do you know the ancestral place of the defendants you mentioned herein before?

A: I do not know.

Q8: Where are they staying?

A: They are staying in and around Selaiyur, Tambaram.

Q9: Is it correct to state that the suit property belongs to the above defendants?

A: Yes.

Q10: Do you know the reason for the defendants to leave the suit schedule property and stay in a far away place?

A: I do not know.

Q11: Do you know about the educational qualification of the above stated four defendants?

A: I do not know.

Q12: Are they educated atleast to your level?

A: I do not know. (The counsel for the plaintiff objects to raise this question on the ground that it is irrelevant to this suit.)

Q13: Do you know what job they are doing?

A: Dhananjayan worked in a lath in the year 1992. I heard Saravana Perumal is working as a security.

Q14: None are having regular government job or highly paid jobs, is it correct?

A: I do not know.

Q15: So, I put it to you that they are poor needy people always.

A: I do not know.

Q16: You have been preaching in churchs from the year 2010 according to the records, do you admit?

A: I am preaching from 1984.

Q17: You said you left the job and you started full time preaching, is it correct?

A: Yes.

Q18: What is your monthly earnings by preaching?

A: It depends how many places I go to preach. If I am preaching only in the church, I get Rs.60,000/- per month.

Q19: How much you get if you preach out side?

A: Additionally I get Rs.10,000/-

Q20: So, your monthly income ranges from Rs.60,000/- to Rs.70,000/-, is it correct?

A: Yes.

Q21: What is your wife doing?

A: House wife.

Q22: Is she having any movable or immovable properties?

A: No.

Q23: So, she is depending on you, is it correct?

A: Yes.

Q24: How many property do you have in your name?

A: I have two properties, one is in Vada Perumbakkam and another in Kalavai, Arcot District.

Q25: What kind of properties are they?

A: One is 1200 sq.ft vacant land and another is 0.95 acre with the building. (The counsel for the plaintiff objects to raise this question on the ground that it is irrelevant to this suit.)

Q26: What is the building extent?

A: I do not remember.

Q27: What are you doing with those properties?

A: Lying vacant and no income from those properties.

Q28: Are you filing income tax return personally?

A: Yes.

Q29: From which year onwards?

A: From 2003 to till date.

Q30: what is your annual income as per income tax returns?

A: I have to look at the paper.

Q31: Can you atleast say, how much tax you are paying?

A: Rs.11,000/-

Q32: Going by this tax, your net annual income may not be more than Rs.3 lakhs, is it correct?

A: Without looking the papers, I cannot say. (The counsel for the plaintiff objects to raise this question on the ground that it is irrelevant to this suit.)

Q33: Can you produce the income tax returns in the next hearing?

A: Yes.

Q34: Who formed the plaintiff trust?

A: Myself.

Q35: Initial corpus fund is given by whom?

A: Myself.

Q36: Is any fund given by your wife?

A: No.

Q37: Is your wife filing income tax returns?

A: No. She is not having any income.

Q38: What are the donations received by the trust to your knowledge?

A: I have to look into the papers.

Q39: Have you produced the annual account statement of the plaintiff trust?

A: No.

Q40: Can you produce in the next hearing audited account statements of the plaintiff trust from 1992 to till date?

A: Yes.

Q41: Have you been borrowing money for the trust from any source?

A: The trust has not borrowed any money.

Q42: You say this trust is registered, do you have the registration number with income tax department?

A: Yes.

Q43: Under what section it is registered?

A: I do not know.

Q44: Are you having a minute book for the resolution of the trust?

A: No.

Q45: I put it to you that you have not filed any resolution to the income tax department.

A: Yes. The income tax exemption is obtained from the income tax department. In every year submitted the accounts to the income tax department.

Q46: Have you filed any document related to resolution of the trust to the income tax department?

A: I do not understand the meaning of resolution.

Q47: Have you had the occasion to keep the cash in your hand in the past?

A: Every month I keep the cash of Rs.25,000/-

Q48: There was no occasion to keep the cash more than Rs.25,000/-, is it correct?

A: During Christmas time we have the cash upto Rs.1 lakh. That is all.

Q49: (Ex.P4 is shown to the witness.) Ex.P4 is a legal notice. In para 9 of Ex.P4, you have stated that on 20.10.2021 all of you decided to send henchman to my possession place, the suit schedule property and made filthy language, is it correct?

A: Yes.

Q50: (Ex.P3 is shown to the witness.) In Ex.P3 CSR dated 20.10.2021, is it correct to state that you have mentioned as they came to my home?

A: Yes.

Q51:(Ex.P7 is shown to the witness.) Ex.P7, FIR No.164/2021. Is it correct to state that you have mentioned in Ex.P7 that thereafter they came to the place of my occupation and damaged all my properties and stayed there after laying Charminar shed?

A: Yes.

Q52: According to this FIR, they visited suit schedule property, is it correct?

A: Yes.

Q53: I impeach your credibility because you are stating facts before the court according to your whims and fancies. so, your statements on oath cannot be fully trusted.

A: I deny.

Q54: Now tell me, whether they visited your home or suit schedule property?

A: They visited my home on 21.10.2021.

Q55: (Ex.P3 & Ex.P7 are shown to the witness.) According to you, there was one occurrence dated 19.10.2021 and there was another occurrence on 17.12.2021, is it correct?

A: Yes.

Q56: What happened to these cases?

A: I do not know.

Q57: Did you take any steps to find out the above two police cases?

A: No.

Time: 11.58 A.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