

BEFORE THE ADDITIONAL MASTER-III
HIGH COURT, MADRAS.
O.P.No.716 OF 2023

Date: 02.09.2025
Time: 11.50 A.M.

Name : Mrs.S.Radha (PW1)

Further cross examination by Ms.N.Nagu Sah, Learned counsel for the Respondents No.1 to 3.

Solemnly Affirmed:

Q149: You have stated that 5 cases are pending against Kumar at Dubai. Do you know the details of the case particulars and in which Court those cases are pending?

A: I do not know.

Q150: Atleast do you have any proof to show the pendency of cases against R1 Kumar at Dubai Courts?

A: No.

Q151: I suggest you that except your allegations regarding the cases alleged to be pending against R1 Kumar, there is no evidence and record to substantiate your allegations.

A: Yes.

Q152: I suggest to you that Mr.Lakshmipathy and Poorani never stated before Court that there are cases pending against R1 Kumar at Dubai Courts.

A: I deny.

Q153: I suggest to you that there are no cases pending against R1 Kumar at Dubai Courts.

A: I deny.

Q154: Do you know what is the status of the cases which are pending against R1 Kumar at Dubai Courts?

A: Still the cases are pending.

Q155: Did you file any document to show that the cases are alleged to be pending against R1 Kumar at Dubai Court?

A: No.

Q156: Are you aware of the name of the company run by R1 Kumar at Dubai?

A: I do not know.

Q157: Do you have any proof to show that the company run by R1 Kumar, is alleged to have suffered huge loss?

A: No. Witness adds: Kumar himself admitted the above said facts in the case.

Q158: On which date R1 Kumar alleged to have submitted that company run by R1 Kumar is alleged to have suffered huge loss?

A: I came to know the details in the year of June 2023 from Kumar.

Q159: In which case R1 Kumar has alleged to have admitted that the company run by R1 Kumar to has suffered huge loss?

A: In this case R1 Kumar has stated the above said details.

Q160: I suggest to you that R1 Kumar never stated this in any of his statements filed in this case that his company has suffered loss.

A: I deny.

Q161: Can you specify in which statements filed in this case R1 Kumar has stated that his company has suffered loss?

A: When the Court called for the production of Passport. At that time R1 Kumar has stated that in respect of various cases his Passport was seized. While I filed an application in the Court in which he has admitted the pendency of cases against R1 Kumar.

Q162: I suggest to you that R1 never stated that his Passport was seized.

A: I deny.

Q163: I suggest to you that on 12.06.2023 you never visited the minor child at Chennai. Your allegations as stated in para No.19 of your Petition that on seeing you the minor child was very much happy and willing to go with you are false.

A: I deny, it is true.

Q164: I suggest to you that on 12.06.2023 you never saw the child at Chennai.

A: I deny. Witness adds: I and my husband visited the child.

Q165: I suggest to you that since you never visit the child on 12.06.2023, so your allegations that R3 alleged to have warned you not to come and see child is false.

A: I deny, it is true.

Q166: I suggest to you that since you have not visited the child on 12.06.2023 at Chennai your allegations set out in para No.19 of your Petition that R3 had dragged the child to the room and prevented you from seeing the child and had abused you are false.

A: I deny, it is true.

Q167: Are you aware that along with your Petition you have filed a birth certificate of minor Roshini, dated 12.11.2014 issued by Vannur Municipality?

A: Yes, I am aware

Q168: Are you aware that the above said birth certificate of minor Roshini, dated 12.11.2014 was not marked on your side as document in this case?

A: I have already furnished to this Court.

Q169: Is it right to state that when Vannur Municipality had issued birth certificate of minor Roshini, dated 12.11.2014, R1,R2 Kumar and Bhuvaneshwari were at Dubai?

A: Yes.

Q170: Is it right to state that there is no possibility of R1,R2 to come to Vannur Municipality, Villupuram directly and to apply for the birth certificate of minor Roshini?

A: R1,R2 orally instructed to issue birth certificate of minor Roshini.

Q171: I suggest to you that No Government authorities would issue birth certificate of the child at oral request without any document.

A: I deny. Witness adds: Through VAO such kind of birth certificates are obtained.

Q172: I suggest to you that birth certificates cannot be issued by Municipality through VAO as alleged by you.

A: I deny. Witness adds: They gave it like that.

Q173: How do you know the birth certificates are issued through VAO by Municipality ?

A: They issue as such.

Q174: I suggest to you that it is only your husband the first petitioner has applied to Vannur Municipality through his application dated 12.11.2014 for the issue of birth certificate of minor Roshini?

A: I deny.

Q175: I suggest to you that since the adoption was given only on 03.05.2015 there is no necessity for R1 and R2 to obtain the birth certificate of minor Roshini dated 12.11.2014 from Vannur Municipality.

A: I deny. R1, R2 themselves obtained the birth certificate of minor Roshini.

Q176: Is it right that you celebrated your elder daughters Gopika and Roshika ear boring ceremony on 17.08.2015?

A: Yes.

Q177: I suggest to you that even before celebrating this ear boring ceremony on 17.08.2015, as you have already given your 3rd daughter Roshini in adoption to R1,R2, you did not celebrate the ear boring ceremony of Roshini?

A: I deny. Witness adds: Kumar said that he preferred to celebrate ear boring ceremony along with his son.

Q178: I suggest to you that the ear boring ceremony of R1's son was celebrated even in the year 2007 itself. Your allegations that Kumar has represented to celebrate the ear boring ceremony of Roshini along with his son is false.

A: I deny.

Q179: When did the ear boring ceremony of minor Roshini was celebrated?

A: I do not remember the date but he celebrated the ear boring ceremony of minor Roshini in the year of 2023 but they never informed about this ceremony to us.

Q180: Is it right to state that the ear boring ceremony of minor Roshini was celebrated by R1,R2?

A: No.

Q181: Who has celebrated the ear boring ceremony of minor Roshini?

A: Rani

Q182: I suggest you that Rani had not celebrated the boring ceremony of minor Roshini.

A: I deny.

Q183: You have alleged that you filed a police complaint for handing over the minor child. Do you have the copy of this complaint and did you file it before this Court?

A: I do not remember.

Q184: On which basis in para No.24 of your Petition you have alleged that the son of R3 Pachaiappan would commit sexual assault to the minor Roshini?

A: There is no safeguard for the minor child in Rani's house. She is residing in a rental house along with her son Pachaiappan and one Siva. I feel there is no safety for my daughter in that house.

Q185: When did you understand that minor Roshini was not having security in the house of R3?

A: I know from the beginning.

Q186: What do you mean “I know from the beginning”?

A: I realised that at the age of 5 of minor Roshini.

Q187: Did you write any letter or made any phone call to R1,R2 regarding the alleged insecure atmosphere in which the child was brought up?

A: I informed them through phone.

Q188: Do you know their phone number?

A: I do not know the number, but I searched it in my husband's phone.

Q189: Can you tell what steps are taken by R1 after your alleged phone call to him?

A: R1 did not take any steps.

Q190: Having found Kumar has not take any steps to safeguard of minor child after your phone call, what steps you have taken?

A: We went to Rani's house and informed to the police and now we have come to the Court.

Q191: When did you inform the Police?

A: I do not remember the exact date, we informed the police in the year of 2023.

Q192: I suggest to you that you did not give any Police complaint regarding your apprehension about the alleged insecurity of the minor child in the hands of respondents.

A: I deny.

Q193: In para No.24 of the Petition you made grave allegations against the respondents as though the child would be used for flesh trade. Is there any basis for your allegations?

A: There is no security even for the child who is staying with the parents. Because of that I asked them to hand over my child to me.

Q194: I suggest to you that the child was brought up by Lakshmipathy and Poorani in a very safety atmosphere and your allegations is nothing but an insult not only to the child but also for the respondents, Lakshmipathy and Poorani.

A: I deny. Witness adds: Lakshmipathy and Poorani are noway related to

the child.

Q195: I suggest to you that the child having been brought up by the respondents with Lakshmipathy and Poorani, the child was very much attached with love and affection with them and if the child is now demanded by you after 10 years, it would seriously affect the mental, physical condition and education of the minor child.

A: I deny. Witness adds: The child is showing love and affection with us.

Q196: I suggest to you that you having given the child in adoption to R1,R2 you are not entitled to ask for the return of the child through this petition.

A: I deny. Witness adds: I have not given the child in adoption to R1,R2. By compulsion they have taken the child. I need to get back my child from them.

Q197: I suggest you that the Petition is not maintainable under law. Therefore it is liable to be dismissed.

A: I deny.

Time : 01.15 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-III