

BEFORE THE ADDITIONAL MASTER-III
THROUGH VIDEO CONFERENCE
HIGH COURT, MADRAS.

O.P.No.716 OF 2023

Date: 15.07.2025
Time: 11.30 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:

Q15: What is the tractor number that your husband bought in the year of 2004 and rented out the same?

A: I do not know.

Q16: Have you produced any record to show that your husband owned tractor in the year of 2004?

A: Yes.

Q17: I put it to you that you did not produce any documents related to tractor

A: I deny.

Q18: I put it to you that your husband did not buy any tractor and he has no means to purchase the tractor. Hence the question of deriving income from the hiring of tractor will not arise

A: I deny. Witness adds: We have it from the year of 2004 and we rented out the same to Pondicherry Ulavarkarai Nagaratchi in the year of 2007 and earning Rs.30,000/- per month.

Q19: Do you have any proof that you rented out your tractor to Pondicherry Ulavarkarai Nagaratchi or is there any agreement for there and also have any proof to show you received a sum of Rs.30,000/- per month as rent?

A: No. Witness adds: We received the rent through Mestri directly

Q20: I put it to you that you did not receive any rental income from Pondicherry Municipality

A: I deny.

Q21: You have said that your father-in-law has settled 3 acres of land to your husband, if so, what is the date on which he settled the property in favour of your husband and what is the survey Number of the lands and place of the property and through which deed has he settled the settlement deed?

A: I do not know the Survey Number. The land is situated Thalakanikuppam. There is no written document for settlement. My father-in-law settled the property orally to my husband.

Q22: I put it to you that your father-in-law did not settle any property to your husband

A: I deny. Witness adds: He settled orally and till now we are cultivating in the land for that we produced Chitta and adangal before this Court.

Q23: I put it to you that you did not file any Chitta and adangal as a proof before this Court

A: I deny.

Q24: I put it to you that except the total land of 10 acres situated at Thalakanikuppam jointly belonging to your husband, first respondent and younger brother Lakshmi pathy, your husband does not have any separate agricultural property

A: I deny. Witness adds: My husband has his own property.

Q25: Are you aware of the date of the marriage of Pachaiappan, son of the third respondent?

A: I do not know.

Q26: Do you know where pachaiappan and his family are residing?

A: Yes. Witness adds: His wife and their children are residing at her mother's place.

Q27: Do you know the residence of Pachaiappan's in-laws and inform the address?

A: Yes. I do not know the address of Pachaiappan's in-laws house.

Q28: Do you know where Pachaiappan is residing now?

A: He is residing in Thelugu chetty nagar, Chennai with his mother.

Q29: When have you visited this place and how do you know that he is staying there?

A: I went Last January. I do not know the exact date and he was present in that house.

Q30: I put it to you that Pachaiappan is not residing with his mother and he is residing separately with his wife and children

A: I deny. Witness adds: He is residing in Chennai and he often visits his wife and children place.

Q31: Why have you filed this case against Rani to hand over the child while you have already mentioned that you have handed over the minor child to the R2 Bhuvaneshwari

A: Since Bhuvaneshwari left the child with Rani and went to Dubai. While she received the child, she stated that she will raise the child as her own child at Dubai but she left the child with Rani and went to Dubai.

Q32: On what date did Bhuvaneshwari leave the child with Rani?

A: I do not know the date but in the month of October 2015 she left the child.

Q33: When did you come to know that the above said incident happened in October 2015?

A: I came to know in the month of November 2015 through their relatives.

Q34: Have you not seen the child after handing over the child to Bhuvaneshwari in the month of September 2015?

A: I have visited her every month.

Q35: After handing over the child to Bhuvaneshwari when you visited first to see the child?

A: October 2015. Witness adds: Now witness says November 2015.

Q36: Is it right to say that Bhuvaneshwari has asked your child for adoption only?

A: Yes. Witness adds: She mentioned she will adopt the child as per Legal proceedings through the Court.

Q37: Do you know what kind of legal proceedings taken by Bhuvaneshwari to adopt the child through the Court?

A: I do not know.

Q38: Did you ask Bhuvaneshwari what kind of legal proceedings are you going to take before handing over the child for adoption?

A: No. Witness adds: Bhuvaneshwari herself said that she has been discussing with the Child Welfare Office in Dubai and will take the child with her within one year.

Q39: Are you aware that without taking adoption of the minor child by the adopted parents they cannot take the child to Dubai?

A: I do not know. Witness adds: She said she will prepare everything and then will take the child with her.

Q40: Did the minor child hold passport while handing over the child for adoption in the month of September 2015?

A: No.

Q41: Are you aware without passport the child cannot travel to Dubai?

A: Yes.

Q42: The minor child does not have passport till this date. Is it right?

A: Yes.

Q43: I put it to you that while Bhuvaneshwari and her husband sought for adoption of child, you should have given the child only way of adoption to them

A: I deny. Witness adds: At the time of casually giving the child to Bhuvaneshwari no rituals were done.

Q44: You already know that Kumar and Bhuvaneshwari begot a male child then why did you hand over your female child casually to them?

A: They informed us that the chances for having second child is less and since they like having a girl child they approached for legal adoption and gave us assurance to bring up the child at Dubai.

Q45: So this itself means that you gave the child only for adoption?

A: No.

Q46: Why have you not asked the child back from them when you have not given them for adoption?

A: Rani told me that once after Bhuvaneshwari returns you ask Bhuvaneshwari.

Q47: Did you ask Kumar and Bhuvaneshwari that you have not taken any steps regarding the adoption so give back the child to you?

A: I asked through phone and they replied that there is a delay due to change of legal procedure.

Q48: On which date did you enquire to Kumar and Bhuvaneshwari regarding answer to the Q.No.47?

A: I do not remember the exact date.

Q49: Is it right that have you been waiting for 8 years to get back the child from Kumar and Bhuvaneshwari for the reason of non completion of legal procedure?

A: Yes.

Q50: At which place did you give your child for adoption?

A: Outside the Mailam Kovil I handed over the child to Bhuvaneshwari. I have not given adoption.

Q51: In case of handing over the child casually why did you go to Mailam murugan temple for casual handing over of the child instead of handing over the child in the house itself?

A: They called us from Mailam temple and said they are waiting at the temple. I was not willing to hand over the child, only at the insistence of my husband, I handed over the child to them.

Time : 12.55 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