

BEFORE THE ADDITIONAL MASTER IV,
HIGH COURT, MADRAS
T.O.S.No. 40 OF 2023

Date: 23.04.2025
Time : 01.10 P.M.

Name : Mr. N. Haridas (PW1)

Cross examination by Mr. K.S. Saranath, Learned counsel for the 1st defendant.

Solemnly Affirmed:

Q1: Is it correct to state that the 1st defendant is your mother and defendants 2 and 3 are your sisters and you are the plaintiff?

A: Yes.

Q2: Before filing this suit, the 1st defendant had filed a suit for partition in 21st Additional Court, Allikulam in OS.No.840/2022, is it correct?

A: Yes.

Q3: In the above suit OS.No.840/2022 you are the 1st defendant and filed the written statement also, is it correct?

A: Yes.

Q4: Thereafter only, you have filed the OP and converted as TOS 40/2023, is it correct?

A: Yes.

Q5: Is it correct to state that in both cases the subject matter of the property is purchased by your father?

A: Yes.

Q6: I put it to you that the suit property was not your self acquired property.

A: Yes.

Q7: Is it correct to state that till date you are continuing the same business running by your father?

A: No.

Q8: I put it to you that you are only continuing your father's business in the suit premises and you are falsely deposing before this court.

A: I deny.

Q9: Is it correct to state that the 1st floor of the suit property, your mother, 1st defendant is living?

A: Yes.

Q10: On 10.07.1996, your father had purchased a property in your mother's name, is it correct?

A: Yes. It was purchased from my father's earnings.

Q11: Is it correct to state that the property purchased on 10.07.1996 and the property purchased by your father in 1997 are situated in the same premises?

A: Yes.

Q12: I put it to you that the patta was issued for both the properties.

A: Yes.

Q13: Can you say any reason for not producing the patta before this court?

A: The property was mortgaged in Tata Capital Housing Finance and the original document was deposited to the finance company.

Q14: I put it to you that in para 10 of your plaint you have stated that since you become aware of the Will only recently. But you have not stated about which place, time, how and from whom the Will was obtained by you.

A: Yes. Witness adds: The Will was handed over by my mother to me, after my father's demise.

Q15: Have you stated the above statements in the plaint?

A: No.

Q16: I put it to you that the above statements are not mentioned in your plaint and so, you are deposing falsely before this court for the purpose of this case.

A: I deny.

Q17: I put it to you that at any point of time, your mother never handed over the alleged Will to you.

A: I deny.

Q18: Is it correct to state that Ex.P1, Will is not registered?

A: Yes.

Q19: Is it correct to state that you are fully aware of the contents of the Will, Ex.P1?

A: Yes.

Q20: Who are all the attestors of the Ex.P1, Will?

A: I do not know.

Q21: Have you made an attempt to contact the attestors of the Will, after filing of the suit?

A: No.

Q22: Have you made an attempt to register the Will after your father's demise or before filing this suit? (The counsel for the plaintiff objected to this question on the ground that the executor had died.)

A: No.

Time: 01.37 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