

BEFORE THE ADDITIONAL MASTER-II

HIGH COURT, MADRAS

C.S. No. 45 OF 2020

Date : 04.06.2025

Time : 2.35 PM

Name : Mr. K. Anantha Kumar (PW2)

Age : 38 Years

Father's Name : Mr. E. Kurusamy,

Residing Address : No.50-A, 5th Street, Srinivasa Nagar, Mangadu,
Chennai-600 122.

Cross examination of PW2 by Mr. G. Guruswaminathan for M/s.

Nageswaran and Narichania (MS. 998/1998), counsel for defendants.

Solemnly Affirmed:

Q 110: When did you join plaintiff company?

A: November 2011

Q 111: Are you aware of the facts of this case personally?

A: Yes I know

Q 112: Has the plaintiff company issued any authorisation letter in your
favour to depose evidence?

A: Yes I have by the plaintiff company.

Q 113: Have you filed the said authorisation letter in this Court?

A: Not filed in the Court.

Q 114: Have you studied the plaint and written statement in this Court?

A: Yes I read.

Q 115: Did you read the evidence of PW1 Mr. T. Rajasekaran?

A: Yes I read

Q 116: Do you agree with the answers given by PW1 in his cross examination?

A: I differ with the answers given by PW1 with regard to 2 or 3 points and I accept all other things.

Q 117: What are the points you disagree with the cross examination of PW1?

A: The PW1 could not depose in the detail with the regard to Surveyor report. Initially we inform to the surveyor. We have insurance for some particular machineries. That machine insured in Chola MS. General insurance company and new India Assurance company. That machinery we removed from the claim application and inform the same to surveyor through mail. Second point is while segregation of the scraps surveyor visited our premises and he instructed to segregated based on the insurance company and we segregated scraps and fix the name board for the united India insurance company, Chola Ms insurance company and New India insurance company.

Q 118: your proof affidavit is a repetition of the proof affidavit of PW1, Do you agree?

A: Yes

Q 119: You have not filed the insurance policies issued by Chola MS. General insurance company and New India assurance company, do you agree?

A: I have not filed the above policies but it was stated in my affidavit.

Q 120: with whom did you transact in the defendant's insurance company?

A: Witness shown to the Proof affidavit. All are the same company. Policy taken from the Poonamallee insurance company. Subsequently transacted with first and second office mentioned in my proof affidavit.

Q 121: Can you mention the name and designation in the officer with whom you transacted?

A: I do not remember the name of the officer, but they were branch manager?

Q 122: Have you filed the proposal form in this case?

A: We have not filed in the Court separately. Witness adds, we collected documents from the head office through RTI. Which is filed in the Court.

Q 123: Is it correct to state that plaintiff business consisted of two plots?

A: Yes correct but it is undivided shares.

Q 124: both the plots are owned by two different owners., is it correct?

A: Yes. This is correct

Q 125: The plaintiff company entered into two different lease agreement with two owners separately. Is it correct?

A: Yes. This is correct.

Q 126: (Shown to the witness Ex.P4) In Ex.P4 what is the plots number shown?

A: plot no.6

Q 127: Did you inform to the defendant after the policy was issued to include plot no.6A in the policy?

A: we informed to the defendant by oral. Subsequently we failed follow up the same.

Q 128: I put it to you that you never informed to the defendant orally, and that you have deposed falsely as it was informed to the defendant?

A: I deny.

Q 129: Were you personally present at the site, when the accident took place?

A: Yes I was present at the time.

Q 130: Did you personally interact with the insurance surveyor deputed by the defendant?

A: Yes I interacted with the surveyor personally.

Q 131: Did you read the surveyor report?

A: Yes I read the same.

Q 132: Do you agree with the contents of the surveyor report?

A: I disagree with the surveyor report.

Q 133: Did you write to the surveyor or to the defendant with regard to disagreement in the report?

A: Yes we addressed to the insurance company and grievance cell.

Q 134: Did you file the said letter stated addressed to the defendant's in this case?

A: Yes we have filed same in the Court. (All documents marked on the side of plaintiff shown to the witness in which Ex.P.5 shown as it is a letter)

Q 135: I put it to you Ex. P.5 is not a relevant to the answer given by you?

A: I deny.

Time : 03.15 P.M.

Taken down in open Court, read over and explained to the witness and the same is admitted by the witness to be true and correct and signed before me.

ADDITIONAL MASTER-II