

BEFORE THE ADDITIONAL MASTER-III
HIGH COURT, MADRAS.
TOS.No.20 OF 2018

Date : 08.06.2026

Time : 11.05 A.M

Name : Mrs. S.Pavithra Kumari (DW1)

Cross Examination by Mr.C.Ramesh, Learned counsel for the plaintiff.

Solemnly Affirmed:

Q7: In the last occasion you said you were born on 30.04.1988. Where were you born?

A: Yes and I was born in Chennai.

Q8: (Photocopy of the Birth certificate is shown to the witness) See whether the copy of the birth certificate shown to you is your birth certificate?

A: Witness looks into the certificate shown to her and states that it is my birth certificate.

Ex.P11 is the Photocopy of the Birth certificate of Pavithra Kumari DW1.

Q9: (Ex.P11 is shown to the witness) What is the permanent address of your parents mentioned in Ex.P11?

A: 107/45, Diamond plot, Anna Nagar west, Chennai 101.

Q10: Is the permanent address of your parents is diamond flat or diamond plot?

A: It is diamond flat and not plot.

Q11: The Will which is propounded in this case is 14.09.1994. Is it correct that you were only 6 years old when the said Will was executed?

A: Yes, I was only 6 years old then.

Q12: Can you say that you had personal knowledge of the testators sound and disposing state of mind at the time of execution of the Will?

A: No, I did not have knowledge.

Q13: Have you seen the written statement of your mother?

A: Yes, I have seen.

Q14: (Page 2 Para 3A of the Written statement is shown to the witness) It is stated by your mother that the reason of the flat purchased by your father on 22.04.1996 the Will must have been fabricated. Have you filed any other document apart from this contention that the Will is suspicious and fabricated?

A: No, I have not filed.

Q15: Do you know to whom the flat purchased by your father originally belonged to?

A: It is belonged to P.Vasantha.

Q16: Do you know how P.Vasantha got that flat?

A: She got it from Tamil Nadu Housing Board.

Q17: Do you know that the Tamil Nadu Housing Board allotted the flat to P.Vasantha on 23.05.1985 and put her in possession of the said flat?

A: Yes.

Q18: Do you know when did your parents started occupying this flat?

A: Even before my birth.

Q19: Do you know that the Tamil Nadu Housing Board conveyed the flat to Mrs.P.Vasantha on 08.04.1996 and P.Vasantha conveyed the flat to your father on 22.04.1996?

A: Yes.

Q20: (Ex.P1 is shown to the witness) Who signed in this Ex.P1?

A: It looks like my father's signature.

Q21: (Proof affidavit is shown to the witness) According to your statement in proof affidavit you and your mother Mr.S.P.S.Raman, advocate, Mylapore pursuant to the invitation made by the plaintiff in June 2012?

A: Yes.

Q22: (Ex.P5 is shown to the witness) Is it right that in Ex.P5 you and your mother have endorsed your presence?

A: When we signed in Ex.P5 nothing was type or written in it. They just asked us to sign that we were present there, even though we had refused to sign.

Q23: Have you or your mother made any pleading or allegation in your proof affidavit that you have signed in blank paper which is being filed as Ex.P5?

A: No, we have not stated.

Q24: Therefore, I put it to you that your present answer is purely an after thought and false statement.

A: I deny.

Q25: Apart from Ex.P5 your mother or yourself made any protest in writing that you are not accepting the Will for which the letters of administration has been sought for?

A: No.

Q26: Have you gone through the reasons set out by the plaintiff in his petition for the delay caused in filing the petition?

A: Yes.

Q27: (Page 4 para 9 of the Petition is shown to the witness) The plaintiff has stated that “only when he wanted to develop the property he came to know that he should have sought for letters of administration and this is the reason for the delay in approaching the Court”. Is it not?

A: Yes.

Q28: Therefore I put it to you that your statement made in para 5 of the proof affidavit as if the plaintiff had made a false statement about the knowledge of the Will only in the year 2015 is a deliberate false statement made by you.

A: No, he has only made a false statement.

Q29: Where was your father working?

A: My father was working in High Media Laboratories, Chennai.

Q30: According to you, your father lost his job in the year 1993 and your mother was finding it difficult to meet the daily needs in life and your grandfather used to comfort your mother?

A: Yes.

Q31: When was your mother finding difficult?

A: In the year 1993 my father lost his job and the difficulties started in the year 1995.

Q32: I put it to you that only to support your mother, your grand father namely the testator had provided funds to your father for purchasing the flat at Anna Nagar.

A: No, it is false.

Q33: Do you know how much was your father's salary and how much consideration he has paid to purchase the property?

A: I do not know my father's salary. But he had his own savings and he sold some of his ancestral property. He had paid around 2.5 lakhs as consideration towards purchase of the property.

Q34: Have you stated all the above details in your proof affidavit?

A: No.

Q35: There is also no pleading to this effect by your mother in her written statement. Is it not?

A: Yes.

Q36: Therefore, I put it to you that the present answer given by you is purely an after thought and deliberate false statement.

A: No.

Q37: You have alleged that the testator i.e., your grand father had intended to provide a share in the property to your mother. Have you filed any document to substantiate the same?

A: No.

Q38: Have you filed any document to show that Mrs.G.Kishori was living in an old age home and the plaintiff had given a different address in this case?

A: No, I have not filed.

Q39: How do you say that the plaintiff had sent notices to the other legal heirs to a false address. Have you filed any document to support thereof?

A: I asked my brother A.G.Hemanathan whether he got OP petition copy and he said that he did not receive, they have sent it to old address. I have not filed any document to support my statement.

Q40: I suggest you that the answer given by you in Q.No.39 as if you had met A.G.Hemanathan is false and you are deposing falsely.

A: I deny.

Q41: I put it to you that the plaintiff is entitled for grant of letters of administration with the Will dated 14.09.1994.

A: No.

Time : 11.48 A.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