

BEFORE THE ADDITIONAL MASTER-III
HIGH COURT, MADRAS.

C.S.No.31 OF 2021
and
TOS. No.3 OF 2018

Date: 10.04.2026
Time: 12.45 P.M.

Name : Mr.Arun Kumar (DW3)
Age : 44 Years
Father's Name : Mr.Purushothama Raju
Residential Address : AH-146, III Street, Shanthi Colony,
Anna Nagar, Chennai – 600 040.

Chief Examination by Mr.T.Panchatsaram, Learned counsel for the plaintiff
in TOS.No.3/2018 and defendant in CS.No.31/2021.

Solemnly affirmed:

I am the defendant side witness herein. I am well acquainted with the
facts of this case. I am filing my proof affidavit today and the same may be
treated as part and parcel of my chief examination.

Cross Examination by Mr.N.Kishore Kumar, Learned counsel for the
plaintiff in CS.31/2021 and defendant in TOS.3/2018.

Q1: Do you know the details of the case?

A: This suit is filed for probate the Will.

Q2: Is there any other case filed regarding the Will?

A: No.

Q3: Who is Jayakumari?

A: My aunty (Athai)

Q4: Whether Jayakumari filed any suit?

A: Yes. Witness adds: She has filed a suit for claiming forgery and the same was informed in my family.

Q5: Do you know the details of the case personally?

A: No.

Q6: Who filed the probate case?

A: Executor Arunagiri filed this case.

Q7: Whether Mr.Arunagiri depose evidence regarding this case before this Court?

A: No.

Q8: Why Mr.Arunagiri did not depose evidence regarding this case before this Court?

A: I do not know.

Q9: Why you come forward to depose evidence for the case filed by Mr.Arunagiri?

A: I have asked to come to depose evidence.

Q10: Who asked you to come to Court?

A: Advocate has informed to me to come to Court to depose evidence.

Q11: Whether you have not come to Court if advocate asked to come to Court?

A: For the purpose of probating the Will I come to this Court.

Q12: Have you asked the executor to come to this Court to depose evidence?

A: No. Witness adds: We tried to call him through phone. But the calls are failed.

Q13: I put it to you that the Will is forged one because of that the executor did not come forward to depose evidence before this Court.

A: I deny. Witness adds: The Will is registered one.

Q14: I put it to you that even if the Will is registered it is possible to cheat the person and execute forged Will.

A: I deny. Witness adds: It is a registered Will.

Q15: Who is the testatrix Santhakumari?

A: She is my paternal grand mother.

Q16: How many grand children Santhakumari had?

A: Approximately 6 grand children.

Q17: How many children Santhakumari had?

A: 3 children. One daughter and two sons.

Q18: Why did Santhakumari give property to you apart from other children?

A: As she feels she gave the property. Witness adds: When we are stayed at Vellore Perasiriyar Anbalagan called my parents to take care of paternal grandmother and grand father. Then, we came to Chennai. Due to affection with me, she gave the property.

Q19: Is it right that one grand child Kanimozhi is there?

A: Yes.

Q20: Whether Kanimozhi died due to cancer?

A: Yes.

Q21: Do you know Kanimozhi had affected uterus problem and underwent surgery?

A: I do not know.

Q22: Likewise, other grand children are also facing medical issues. Do you know?

A: I do not know.

Q23: I put it to you that all are facing medical issues and not only you.

A: I deny.

Q24: Whether Perasiriyar Anbalagan took care of Santhakumari?

A: He took care of Santhakumari.

Q25: If Anbalagan took care of Santhakumari why he called your parents to took care of Santhakumari?

A: It is not possible 24 hours to took care by Anbalagan. So, he called my parents.

Q26: I put it to you that Anbalagan had children through his first wife and they took care of Mrs.Santhakumari he need not call your parents took care of Mrs.Santhakumari

A: I deny. Witness adds: Mr.Anbalagan only knows.

Q27: I put it to you that the plaintiff Jayakumari and D2 to D5 who are daughter, grand daughter and grand children were all there to took care of Santhakumari and your parents were not required to took care.

A: I deny. Witness adds: If really they took care of Santhakumari it is not necessary to call my parents by Anbalagan.

Q28: I put it to you that no body call your parents and you, you all are voluntarily come forward in the guise of taking care of her grabbed her property by forging and fabricating Will.

A: I deny. Witness adds: If it so, why not we went to Vellore for job.

Q29: Do you know Santhakumari have P.A independently?

A: I do not know.

Q30: Do you know Santhakumari had people with her to assist and help her and to take care her when she was mentally sound?

A: I do not know.

Q31: Do you know Santhakumari admitted in hospital?

A: Yes.

Q32: When did Santhakumari admitted in hospital?

A: I do not know. But she admitted at Miot Hospital.

Q33: How many times she was admitted at hospital?

A: I do not know. One time she admitted at Miot Hospital.

Q34: Why she was admitted at Miot Hospital?

A: For knee surgery.

Q35: If she is well, why your parents were called?

A: She has to be fed, by taking care and also assist for everything and accompanied with her till her death and also do funeral rituals.

Q36: If she was in the stage that she has to be feed by somebody why your parents needs to come to take care of Santhakumari?

A: My parents came to take care of Santhakumari in every aspect.

Q37: Do you know that your father had deposed and stating that his mother Santhakumari was unwell and she needs to be fed and pour coffee into her mouth?

A: I do not know.

Q38: Whether your evidence is right or your father's evidence is right?

A: I do not know. When I saw her she is in good condition.

Q39: I put it to you that your grand mother Santhakumar was mentally ill suffered from dymensia and various other ailments lost her capacity of sound mind and lived assisted living with the help of servants and nurses.

A: I deny. Witness adds: She was well and conscious

Q40: Is it right that she was well and conscious till her death?

A: Yes.

Q41: What is the educational qualification of Santhakumari?

A: I do not know.

Q42: I put it to you that Santhakumari is a doctor.

A: I do not know what she was study.

Q43: Whether Santhakumari knows English?

A: I do not know.

Q44: Whether Santhakumari write her name?

A: Yes.

Q45: Whether she sign in English or Tamil?

A: I do not know but she was signed.

Q46: Have you seen the Will?

A: Yes.

Q47: What was stated in the Will?

A: I remember that in the Will it is stated that Arunagiri has filed for probation and it is stated one false case is filed. Witness adds: My father have right to claim the property and after that I entitled to the property.

Q48: Who were all signed in the Will?

A: Mr.Natarajan, Mr.Valluvan are signed in the Will and I do not know my grand mother affixed her thumb impression and signed in the Will.

Time : 01.35 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