

IN THE HIGH COURT OF JUSTICE

BUSINESS AND PROPERTY COURTS OF ENGLAND AND WALES

BUSINESS LIST (ChD)

IN THE ESTATE OF THE LATE KRISHNASWAMI VENKATARAMANAN

BETWEEN:

MOHINI HERSOM

Claimant

- and -

VIJAYALAKSHMI WORTLEY

Defendant

DEFENCE

Unless indicated otherwise, all references to paragraph numbers in this Defence are to the corresponding paragraphs in the Particulars of Claim.

PROCEDURAL IRREGULARITIES

1. It is noted that the Claimant's claim has been issued by way of a Part 7 Claim Form, accompanied by Particulars of Claim (as well as a witness statement on behalf of the Claimant), notwithstanding that the Claimant appears to be exclusively seeking relief under section 116 of the Senior Courts Act 1981.
2. This Defence sets out the Defendant's position in response to the Claim but does not deal with the contents of the Claimant's witness statement served with the claim (which, for the avoidance of doubt, the Defendant takes issue with in its entirety). The Defendant will respond to the Claimant's witness statement by way of her own witness evidence as and when directed to by the Court.

BACKGROUND

Parties

3. The Claimant and the Defendant are the two daughters of the late Mr Krishnaswami Venkataramanan (the “**Deceased**”), who died on 01.08.2024.
4. The Claimant spent extended periods of time estranged from both the Defendant and the Deceased. In particular, the Claimant did not make any contact with the Deceased for over a year after the Deceased’s wife (i.e. the Claimant and Defendant’s mother) had died.
5. Even during periods of contact prior to the estrangement, the Claimant’s conduct towards the Deceased and the Defendant was often hostile and/or abusive. This conduct eventually resulted in the County Court at Reading granting an interim non-molestation order against the Claimant on 30.04.2013, prohibiting her from contacting the Defendant and her family directly or indirectly. An indefinite restraining order was subsequently granted by North Hampshire Magistrates’ Court on 08.07.2013, again prohibiting the Claimant from contacting the Defendant and her family directly or indirectly. The restraining order remains in force.

The Deceased’s will

6. The Deceased died testate, leaving a valid will dated 27.11.2022 which is expressly limited to the disposition of his estate in England and Wales (the “**Will**”). A copy of the Will was provided to the Claimant’s legal representative on 09.03.2026.
7. Insofar as is relevant, the Will provides that:
 - (1) The Defendant and the Defendant’s husband Stephen Wortley are appointed executors and trustees;
 - (2) The Deceased’s beneficial interest in a property known as 19 Carston Grove, Calcot, Reading RG31 7ZN (the “**Property**”) is to pass to the Defendant free of any mortgage or charge;

(3) The residue of the Deceased's estate is to be divided equally between the Deceased's grandchildren (i.e. the Defendant's children), Jasmine Chandini Wortley and Robin Peter Wortley; and

(4) No provision is made for the Claimant under the Will expressly "*for the reasons stated in a document which [the Deceased] prepared and signed and is deposited with [the] Will.*"

8. The Deceased set out his reasons for excluding the Claimant from any benefit under his Will in a letter of wishes dated 08.04.2023 (the "**Letter of Wishes**"). A copy of the Letter of Wishes was provided to the Claimant's legal representative on 09.03.2026. For completeness, the Letter of Wishes states, *inter alia*, that:

"Over the decades my wife Radha and I have tried to connect with [the Claimant], build a relationship with her and stay in contact without much success. She has remained hostile and abusive and out of contact for year at a time.

...

During this time [the Claimant] has continued to be abusive to family members and our neighbours, published various lies on the internet. She harassed my other daughter [the Defendant] and tried all the schools in Reading until she tracked down my granddaughter...

...

She is clearly still hostile and has not changed her abusive behaviour. I wrote my will excluding her before she got back in touch and I stand by that decision for the reasons stated above and will be leaving my estate to my daughter [the Defendant] and her children to secure their futures."

9. No grant of probate has yet been issued in respect of the Deceased's estate due to caveats having been entered by both parties, being:

(1) a caveat entered by the Claimant on 25.09.2024 (reference no. 1727-2734-7358-6389). The Defendant understands however that this caveat expired on 25.03.2026; and

- (2) a caveat entered by the Defendant on 04.03.2026 and due to expire on 04.09.2026 (reference no. 1772-6344-8725-7149).

DEFENCE

10. Paragraphs 1 and 2 are admitted, save that:

(1) It is denied that the Deceased died intestate. Paragraphs 6 and 7 above are repeated.

(2) It is denied that the Claimant is a beneficiary of the Deceased's estate. Paragraphs 6 and 7 above are repeated.

11. Paragraph 3 is denied. In accordance with the terms of the Will, the Defendant and Stephen Wortley are the persons jointly entitled to apply for a grant of probate. Paragraphs 6 and 7 above are repeated.

12. Paragraph 4 is admitted, save that the Property remains registered at the Land Registry in the joint names of the Deceased and the Deceased's late wife Radha Venkataramanan.

13. As to paragraphs 5 and 6:

(1) It is admitted and averred that the Defendant received a letter dated 04.12.2025 to her home address. However, the Defendant's address on the letter and envelope was described as "*The Atomic Weapons Establishment at Mala*" and the envelope was handwritten. The letter stated that the writer was instructed by the Claimant "*to act on her behalf to deal with [the Deceased's] wealth*", and accused the Defendant of, *inter alia*, having "*taken possession of all [the Deceased's] wealth*". The letter purported to be sent by "*Barrister Md Abu Sufian*" from "*160 Fleet street Chambers*", although it did not bear any signature. At the time, the Defendant was concerned that the letter was in keeping with previous instances of impersonation and harassment by the Claimant. In the circumstances (including the background set out at paragraphs 4 to 8 above), the Defendant did not think the correspondence was genuine and therefore did not respond.

- (2) Delivery of a further letter was attempted at the Defendant's home address on 23.01.2026 (again, addressed to "*The Atomic Weapons Establishment at Mala*" and handwritten on the envelope). It is admitted that the Defendant did not accept delivery of this letter. Paragraph 13(1) above is repeated.
- (3) Delivery of a final letter dated 26.01.2026 and labelled "*Pre-action protocol letter*" was attempted or effected at the Defendant's home address (again, addressed to "*The Atomic Weapons Establishment at Mala*" and handwritten on the envelope).
14. The Defendant subsequently instructed solicitors and correspondence between her solicitors and the Claimant's legal representative followed. By letter dated 09.03.2026, the Defendant's solicitors informed the Claimant that the Defendant had not believed the correspondence sent to her to be genuine, and that the Claimant's claim was misconceived given the existence of the Will. Copies of the Will and Letter of Wishes were enclosed, and the Claimant was invited to withdraw her caveat. No response to that letter has been received.
15. Save for the first sentence (which is admitted), paragraph 7 is denied. Paragraphs 6 and 10 to 13 above are repeated.
16. As to paragraph 8:
- (1) It is admitted that the Defendant did not provide the Claimant with an inventory of estate assets or information as to any income or benefit being generated by the Property. Paragraph 13 above is repeated. Insofar as the Claimant asserts an entitlement to estate information despite not being a beneficiary nor an executrix, the Claimant is required to prove the same.
- (2) It is denied that the Claimant has any right to participate in the administration of the estate. Paragraphs 7 and 11 above are repeated.
17. As to paragraph 9:
- (1) The first sentence is denied. The Claimant's allegation that the Defendant has demonstrated an intention to obstruct the estate administration is insufficiently explained or particularised to plead to and should be struck out as embarrassing,

particularly in circumstances where the Claimant has blocked the issue of a grant by way of caveat since 25.09.2024. The Defendant takes her duties as executrix seriously and is keen to progress the administration of the estate as soon as she is able.

- (2) It is admitted that the Defendant accepted delivery of a letter dated 04.12.2025 and refused delivery of a further letter on 23.01.2026. The Claimant is put to proof as to the Defendant's alleged refusal to accept delivery of the letter dated 26.01.2026. Paragraph 13 above is repeated.

18. As to paragraph 10:

- (1) The first sentence is admitted. Paragraphs 13(2) and 13(3) above are repeated.
- (2) The second sentence is denied. The basis for the allegation that the Defendant is unfit to act as a fiduciary is insufficiently explained or particularised to plead to and should be struck out as embarrassing.

19. As to paragraph 11:

- (1) It is admitted and averred that the Court granted a restraining order on 08.07.2013, prohibiting the Claimant from contacting the Defendant and/or her family directly or indirectly.
- (2) Save as above, paragraph 11 is denied. The restraining order against the Claimant cannot be an impediment to the administration of the estate in circumstances where the Claimant is not a beneficiary nor an executrix. Paragraph 16(2) above is repeated.

20. Paragraphs 12 and 13 are denied:

- (1) Insofar as the Claimant asserts an entitlement to estate information despite not being a beneficiary nor an executrix, the Claimant is required to prove the same.
- (2) The allegation that the Defendant is unfit to act as an executrix is insufficiently explained or particularised to plead to and should be struck out as embarrassing.

(3) For the avoidance of doubt, the Defendant intends to administer the estate in accordance with the terms of the Will and her fiduciary duties. The passing over of the Defendant and/or the appointment of an independent professional administrator in these circumstances is unnecessary and undesirable.

21. Paragraphs 14 to 18 are denied. For the reasons set out above, it is denied that the Claimant is entitled to the relief claimed, or any relief.

Emma Germany

01 April 2026

5 Stone Buildings, Lincoln's Inn

Statement of Truth

[The Defendant] believes that the facts stated in this Defence are true.

[The Defendant] understands that proceedings for contempt of court may be brought against anyone who makes, or causes to be made, a false statement in a document verified by a statement of truth without an honest belief in its truth.

I am duly authorised to sign this statement on behalf of the Defendant.

Signed: 

Name: Eleanor Clarke

Position: Solicitor Partner

Date: 2 April 2026