

In re the Estate of Mary Philomena Maureen McEnroe; O'Neill v Estate of McEnroe [2021] IECA 28 – Court of Appeal – Ni Raifeartaigh J – 12th of February 2021

Application to admit will to probate – alterations and obliterations – sections 85 and 86 of the Succession Act 1965 – whether High Court correct to require next-of-kin on intestacy to be notified of the application – held that there was only partial revocation of the will but that the will was valid – also held that there was no requirement to put the next-of-kin on notice of the application – application allowed on appeal – costs awarded to the applicant out of the estate of the deceased pursuant to section 168 of the LSRA 2015

In re the Estate of John Patrick Mannion; Application of Virginia Guadiano [2021] IEHC 117 – Allen J – 22nd of February 2021

Whether will made in Texas in 1997 revoked by subsequent 2014 will – whether deceased domiciled in Ireland in 2014 – section 85(2) of the Succession Act 1965 – ‘dependent relative revocation’ – presumed intention of the deceased - held that the revocation of the earlier will was conditional upon the validity of the later one

In re the Estate of John T. Cronin; O'Connell v O'Connell and another [2021] IEHC 127 – High Court – Butler J – 26th of February 2021

Construction of bequest – special summons brought by executor - whether gift of “Kerry Co-Operative shares” included shares held by deceased in Kerry Group plc at the date of his death – whether extrinsic evidence should be admitted – section 90 of the Succession Act 1965 – change in property of the subject matter of the gift – held that Kerry Group shares did not come within the scope of the bequest and passed instead into the residue