

IN THE HIGH COURT OF THE UNITED REPUBLIC OF TANZANIA
(DAR ES SALAAM DISTRICT REGISTRY)
AT DAR ES SALAAM

PROBATE AND ADMINISTRATION CAUSE NO. 58 OF 2019

In the matter of the Estate of the Late **JOHN NDIBALEMA MAYANJA**

AND

In the matter of Application FOR LETTERS OF ADMINISTRATION BY **JALIA**

ABBUBAKARI MAYANJA

RULING

Date of last order: 06.05.2020

Date of Ruling: 08.05.2020

EBRAHIM, J.:

JALIA ABBUBAKARI MAYANJA of Dar Es Salaam has petitioned before this Court for grant of the Letters of Administration of the Estate of the late **John Ndibalema Mayanja** who passed on at his residence Mbezi Beach, Dar Es Salaam on 14th June 2019. The death certificate of the deceased no. C No: 10001395262 registered on 31st August 2018 has been appended with the petition.

It is further petitioned that the deceased died intestate and the minutes held by the family appointing the petitioner as a person to administer the estate of the deceased is also appended with the petition.

When this petition came for hearing, Counsel for the Petitioner, Mr. Juventus, learned advocate among other things told the court that they have complied with filing of all requisite documents as required by law as well as issuing a general citation in the Citizen of 21.12.2019 and Habari Leo of the same date as ordered by the Court. They have also published at page 65 of the Government Gazette of 20th March 2020 with issue no. ISSN 0856-0323.

Mr. Juventus stated further that the deceased has left behind a widow (the petitioner) Mrs. Jalia Abbubakar Mayanja and six children namely Dorwin John Mayanja, Diana John Mayanja, Davis John Mayanja, Daisy John Mayanja, John John Mayanja and Destine John Mayanja. He also listed some of the properties left by the deceased being a house at Mbezi Beach, Block H, Plot No. 2180 Dar Es Salaam; a house situated at Bukoba Municipality Block Y, Plot No. 65, KAshai Estate; another house at un-surveyed area at Nyankibimbiri Estate at Bukoba built at the deceased family plot. He also listed a machine gun and a short gun as among the properties left behind by the deceased.

He argued before the court that reasonable time has passed since the publication and there is no any caveat or objection that has been

registered so far. He prayed for the petitioner to be granted letters of administration.

Indeed, **Section 3 of the Probate and Administration of the Estates Act, Cap 352 RE 2002 (“the Act”)** confers jurisdiction to this court in all matters relating to Probate and Administration of deceased's estates in granting probate of wills and letters of administration to the deceased's estate and powers to alter or revoke such grants.

I have carefully gone through the records as well as the petition. The deceased in this matter died intestate. The petitioner has indeed filed all the requisite legal forms under the law. The documents include administrator's oath under **Section 66 Rule 65 of the Act**; Affidavit to accompany petition for grant by sole administrator under **Rule 32**; Affidavit as to domicile of the deceased under **Rule 64** that the deceased was residing at Dar Es Salaam; Administration Bond with sureties under **section 67 Rule 66**; certificate of surety as to financial position; and the assets for administration which are likely to come to the hands of the petitioner are well articulated in the petition.

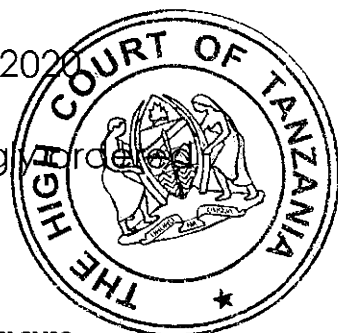
From the above observations and considering that there is no any caveat or objection that has been registered so far by any interested party or a relative; nor any proceedings for the grant of probate or

letters of administration or otherwise for the administration of the estate of the deceased have been commenced before any court or authority, whether in Tanzania or outside; I am satisfied that the Petitioner has established sufficient grounds warranting the grant of the Letters of Administration. I therefore grant this application as prayed and **JALIA ABBUBAKARI MAYANJA** is hereby appointed as an **Administratrix of the Estate of the Late JOHN NDIBALEMA MAYANJA**. I accordingly order that the letters of administration be issued to her. **JALIA ABBUBAKARI MAYANJA** is further **ORDERED** to administer the estate of the deceased as required by law and file the necessary inventory before the Deputy Registrar of the High Court within six month from the date of appointment unless further period is prayed and granted.

In order to ensure compliance and ascertain the status of the same, the matter shall be mentioned before the High Court Deputy Registrar

on 08. 11 .2020

Accordingly order



A handwritten signature in black ink, appearing to read "R.A. Ebrahim".

R.A. Ebrahim
Judge

Dar Es Salaam
05.08.2020