

IN THE HIGH COURT OF THE UNITED REPUBLIC OF TANZANIA

IN THE DISTRICT REGISTRY OF ARUSHA

AT ARUSHA

PROBATE & ADMINISTRATION CAUSE NO 21 OF 2020

IN THE MATTER OF THE ESTATE OF THE LATE SIFAEI ABRAHAMU

KAAYA.....DECEASED

AND

**IN THE MATTER OF AN APPLICATION FOR LETTERS OF ADMINISTRATION BY
FLORENCE FINIAS**

MANYARI.....PETITIONER

RULING

16/03/2021 & 20/04/2021

GWAE, J

The petitioner FLORENCE FINIAS MANYARI has petitioned for letters of administration of the estate of his late husband SIFAEI ABRAHAMU KAAYA (diseased) who died intestate on 18th March 2011 at West Arumeru Hospital. The deceased at the time of his death is said to have a fixed place of abode at Kikwe Arumeru, in Arusha Region.

The petition is further to the effect that the deceased is survived by the petitioner as a legal wife and three children namely; VAILETH SIFAEI KAAYA, EVALINE SIFAEI KAAYA and GLORIA SIFAEI KAAYA. The estate that is likely to be administered by the petitioner is as follows;

- i. One house with four rooms and kitchen rooms.
- ii. A piece of land measuring 3.5 acres.
- iii. A piece of land measuring 18 feet length and 29 feet width.
- iv. Livestock including five (5) goats.

The petitioner was able to make a requisite citation through MWANANCHI Newspaper dated 24th November 2020 and, on the date, fixed for hearing the petitioner was accompanied by her daughter Evaline who prayed for the grant of the petition to her mother whom they have consented to be the administratrix of the estate of their late father whereas the petitioner prayed for adoption of her petition. Together with the petition, the petitioner has attached also a copy of the death certificate of the late Sifaeli Abrahamu Kaaya and the marriage certificate.

I have considered the petition and the submissions of both the petitioner and that of the daughter of the deceased, accordingly, I seen no reason as to why letters of administration should not be granted to the petition for the reasons that, one, ever since the petition has been filed in this court together with the citation to the public, no caveat has been entered in respect of the petition or whatsoever, secondly, the petitioner is the legal wife who is entitled to administer the estate of her late husband and even her children have blessed the appointment of the petitioner to administer the estate of their late father.

The purpose of appointing administrators of deceased estates is solely to protect deceased's properties so as to ensure that they are not left unattended or

wasted unjustifiably and also to safeguard the interests of those who are intended to benefit from the said properties.

Having said so, I am of the considered view that since the petition has disclosed that deceased left properties it is prudent that such properties fall under the administration of the administrator dully appointed by this court so that the said properties are not misused.


Consequently, the petitioner is granted letters of administration of the estate of her late husband SIFAEI ABRAHAMU KAAYA.


The appointed administratrix is hereby ordered to administer the deceased's estate in accordance with the law. She is further required to exhibit an inventory of the deceased's estate in this court within six **(6)** months from the date of this ruling and present final accounts within **twelve (12)** months from the date of this order.

It is so ordered.

Order: Mention on 21/09/2021




M.R. GWAE
JUDGE
20/04/2020


M.R. GWAE
JUDGE
20/04/2020