

IN THE HIGH COURT OF THE UNITED REPUBLIC OF TANZANIA

IN THE DISTRICT REGISTRY OF ARUSHA

AT ARUSHA

PROBATE & ADMINISTRATION CAUSE NO. 03 OF 2021

IN THE MATTER OF THE ESTATE OF THE LATE

SAMUEL WACIRA GITHINJI.....DECEASED

AND

**IN THE MATTER OF AN APPLICATION FOR SEALING OF LETTERS OF
ADMINISTRATION BY MARGARET WAIRIMU MUGOPETITIONER**

RULING

23/06/2021 & 21/07/2021

GWAE, J

This application has been brought under the provisions of section 95 of the Probate and Administration of Estates Act Cap 352 R.E 2002 and Rule 98 of the Probate Rules. The petitioner is seeking an order of sealing of the letters of administration of the estate of the late SAMUEL WACIRA GITHINJI which were granted to MARGARET WAIRIMU MUGO by the High Court of Kenya on 21st July 2020.

The application is further supported by the sworn affidavit of the petitioner and the same is to the effect that; the petitioner and the deceased were husband and wife and that the deceased died intestate on 24th December 2019 at Kenyatta National Hospital. The petitioner further stated that, she petitioned for letters of administration of the estate of the late Samuel Wacira Githinji to the High Court of Kenya and the same were granted to her on the 21st July 2020.

The petitioner is now seeking an order of this Court sealing the granted letters of administration by the High Court of the United Republic of Kenya since the deceased person was employed as a building construction technician at M/S DHARAM SINGH HANSPaul & SONS LIMITED, thus, the order will certainly enable the petitioner to procure the deceased's pension rights and money available in the bank in Tanzania.

On hearing of this application, the petitioner was represented by the learned counsel one **Ms. Sia Charles Marunda** and original documents including the letter of administration was ascertained by the Court.

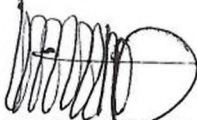
Part IX of the Probate Rules provide for procedures to be followed in resealing of either letters of administration or grant of probates. As the petitioner has presented her original documents for certification by this Court and has also made publication of the application in Mwananchi Newspaper dated 01/04/2021 as per rule 99 of the Probate Rules and no objection was entered, I see no reasons

as to why the letter of administration issued by the High Court of Kenya should not be sealed by this Court taking into account that the deceased worked in Tanzania and has his pension and Bank accounts in Tanzania which need to be administered by the petitioner.

That being told, the letter of administration of the estate of the late SAMUEL WACIRA GITHINJI issued by the High Court of the United Republic of Kenya on the 21st July 2020 to the petitioner MARGARET WAIRIMU MUGO is hereby sealed by the High Court of the United Republic of Tanzania Arusha Registry this 21st July 2021.

It is so ordered.




M. R. GWAE
JUDGE
21/07/2021