

IN THE HIGH COURT OF THE UNITED REPUBLIC OF TANZANIA

(IN THE DISTRICT REGISTRY OF ARUSHA)

AT ARUSHA

PROBATE AND ADMINISTRATION CAUSE NO. 33 OF 2021

**IN THE MATTER OF THE ESTATE OF THE LATE MARTHA CATHERINE
BULENGO.....DECEASED**

AND

IN THE MATTER OF APPLICATION FOR LETTERS OF ADMINISTRATION

**BY RAYMOND CHARLES BULENGO AND MR. DAVID ELIKISA
BULENGO.....PETITIONERS**

RULING

29/11/2021 & 20/12/2021

GWAE, J

The petitioners, Raymond Charles Bulengo and David Elikisa Bulengo have filed this petition for an order granting letters of administration of their late mother one Martha Catherine Bulengo ("deceased") who died intestate on the 13th September 2012 at Selian Hospital in Arusha Region. The petition is brought under section 56 of the Probate and Administration Act, Cap 352 of Revised Edition, 2002 by the petitioners who are sons and beneficiaries to the deceased's estate.

The deceased is survived by the following defendants, Mr. Raymond Charles Bulengo(son) of Tanzania, Mr. David Elikisa Bulengo (son) of Tanzania, Ms. Stella Bulengo (daughter) of USA and Ms. Christina Frances (daughter) Bulengo of Canada and the assets (properties) which are likely to come into the hands of the deceased's heirs are three (3), to wit;

1. House ON Plot 19 with Title No. 186038/102 Ada Estate Dar es salaam
2. Farm No. 830 with Title No. 14047 Kiranyi Village Arumeru within Arusha Region
3. Farm No. 829 with Title 14048 Kiranyi Village Arumeru within Arusha Region

This petition is supported by joint sworn affidavit of the petitioners and the same is to the effect that; the deceased's place of domicile was at sakina area at Arusha and that she was living with the petitioners.

The petitioners were represented by Mr. Mwanili Habibu Mahimbali, the learned counsel who, during hearing, was able to exhibit original death certificate and citation that was made through the Government Gazette dated 26th November 2021 GN. No. 2179. The affidavit was supported by a

testimony of one Francis Tsere who is related to the deceased as the petitioners' uncle. He is also familiar with the petitioners as they are related.

Basing on the petition together with accompanying documents and the oral submission by the petitioners' counsel together with the testimony of the said Francis Tsere, I do not see any reason justifying me to decline granting the sought letters of administration to the petitioners. I hold so for the following reasons;

1. That, since the petition has been filed in this court on the 11th November 2021 together with the said citation no caveat that has been filed to the court to date
2. That, the petitioners are evidently sons to the deceased, thus, they are deceased's heirs who are proper persons to be given priority in granting letters of administration.
3. That, the deceased's estate requires to be administered timely and smoothly
4. That, other deceased's heirs (2 daughters) have consented to the sought grant of letters of administration of the estate of the beloved late mother


5. That, the petitioners' father, Antony Paschal Bulengo is now deceased who passed away on the 24th February 2021

6. That, the law petitioners and their sisters have placed bond

The petitioners, **Raymond Charles Bulengo** and **David Elikisa Bulengo** are therefore granted letters of administration as co-administrators of the estate of their late mother (mamma), **Martha Catherine Bulengo**.

The appointed administrators are herewith ordered to administer the deceased's estate in accordance with the law. They are further directed to make and exhibit an inventory of the deceased's estate to this court within **six (6)** months from the date of this order and present final accounts after 12 months from the date of the ruling. However, extension of time may be made by this court when it deems fit and just to do so.

It is so ordered.


M.R. GWAE
JUDGE
20/12/2021

COURT: Mention on 23/6/2022 for ascertainment of filing of the inventory by the administrators and any related matters.




M.R. GWAE
JUDGE
20/12/2021