

IN THE HIGH COURT OF THE UNITED REPUBLIC OF TANZANIA
(IN THE DISTRICT REGISTRY OF SUMBAWANGA)
AT SUMBAWANGA
PROBATE AND ADMINISTRATION CAUSE NO. 1 OF 2022
IN THE MATTER OF THE ESTATE OF THE LATE WALUKANI SOWOKI LUHAMB
AND
IN THE MATTER OF APPLICATION FOR LETTERS OF ADMINISTRATION BY
JOSEPH EMMANUEL LUHAMB AND REHEMA RICHARD LUHAMB

RULING

15 & 15/07/2022

NKWABI, J.:

The applicants have applied before this court for appointment as administrator and administratrix respectively of the estate of the late Walukani Sowoki Luhamba who died intestate on 21st day of February, 2021 in Mpanda Government Hospital in Mpanda Municipality within Katavi region.

The deceased was survived by a widow and three issues. They are:

1. Rehema Richard Luhamba (wife)
2. Joseph Emmanuel Luhamba (issue)
3. Stellah Luhamba (issue).
4. Raphael Luhamba (issue) and.
5. Mwavita Sowoki (mother).

It appears, after the burial of the late Walukani Sowoki Luhamba, the family of the deceased convened a meeting with the view of proposing who would

administer the estate of the deceased. The family, in the meeting, after discussing among other things proposed the wife of the deceased (the 2nd applicant) and Joseph E. Luhamba to be administratrix and administrator of the deceased's estate. That proposition prompted the current applicants for appointment filed this application as such.

The probate and administration cause was duly cited as per the law, on the court house notice board as well as in the Government Gazette in *Taarifa ya kawaida* No. 1588 dated 29/04/2022. It was also published in Mwananchi Newspaper dated 13/04/2022. Despite such citation, no any caveat was filed in this Court.

When the matter was called up for hearing, the applicants appeared in person. Both of them gave evidence to the effect that they were proposed by the family, in the meeting, to administer the estate of the deceased and if appointed by this court, they would administer the estate faithfully.

I have carefully gone through the court record and I am satisfied that there is no any valid WILL left by the deceased. The applicants for appointment have been sworn to administer the estate of the deceased faithfully and secured sureties for the due administration of the estate. Further, in the

Court file, there is a copy of the certificate of death of the deceased which has serial No. C.1003443245 issued on 2nd day of March 2021. That being the position and that there is no any caveat filed in this court challenging the application for appointment as such, I grant this application for administration. The applicants have to be issued with letters of administration of the estate.

The administrator and the administratrix shall exhibit an inventory of the estate within six months from the date of this grant of administration of the estate. Then, they shall exhibit an account of the estate within 12 months of this grant of administration of the estate on the completion of the administration. The time so fixed for filing the inventory of the estate and account of the estate may be extended from time to time this Court may appoint as per section 107 (1) and (2) respectively of the Probate and Administration of Estates Act, Cap. 352 of the R.E. 2019. The application is granted. I make no order as to costs.

It is so ordered.

DATED at SUMBAWANGA this 15th day of July, 2022.




J. F. NKWABI
JUDGE