

**IN THE HIGH COURT OF THE UNITED REPUBLIC OF TANZANIA
(MWANZA SUB-REGISTRY)**

AT MWANZA

PROBATE AND ADMINISTRATION CAUSE NO. 02 OF 2022

In the Matter of the Estate of the Late ERASTUS TAABU LUFUNGULO

AND

In the Matter of an Application for Letters of Administration by

ALICE EPHATA KESSY

PETITION FOR LETTERS OF ADMINISTRATION

(Section. 56 of the Probate and Administration of Estates Act, Cap.352

R.E.2002 and Rule 39 of the Probate Rules, GN. No. 369 of 1963)

JUDGMENT

14th & 19th July, 2022

DYANSOBERA, J:

The deceased **Erastus Taabu Lufungilo** died intestate at Misasi Health Center, Misungwi District in Mwanza Region on 18th day of March, 2021. Following the death of the deceased, a clan meeting was convened on 22nd day of March, 2021 and proposed the petitioner, Alice Ephata Kessi, the widow of the deceased to be administratrix of the deceased's estates. Consequent to that proposal by the clan, the petitioner has petitioned this Court for the appointment as administratrix of the deceased's estate.

The petition has been preferred under section 56 of the Probate and Administration of Estates Act [Cap.352 R.E.2002] and rule 39 of the Probate Rules, GN No. 369 of 1963. The petition is accompanied by necessary documents under both the Probate and Administration of Estates Act and the Probate Rules.

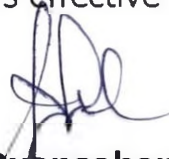
On 14th day of July, 2022, the petitioner testified in court and adduced evidence support of the petition. Her oral testimony was supported by a marriage certificate (exhibit P 2) and death certificate of the deceased (exhibit P 3) as well as the elaborative list of the deceased's estates the petitioner undertakes to administer.

I have considered the petition, the evidence of the petitioner and the documents supporting the petition. I am in no doubt that the citation was published in as per the law requires as evidenced by exhibit P 1. There is neither objection nor caveat filed against the petition. The petition is, therefore, unopposed.

I thus grant the petition and appoint **Ms. Alice Ephata Kessy** to administer the estate of the late **Erastus Taabu Lugungulo** and order that she be granted letters of administration. The petitioner shall administer the estate according to the law and court's directions and exhibit a true and correct inventory in this court in accordance with the

provisions of section 107 of the Probate and Administration of the Estates Act, within six (6) months effective from today.

Order accordingly.



W.P. Dyansobera
Judge
19.7.2022

This judgment is delivered at Mwanza under my hand and the seal of this Court on this 19th day of July, 2022 in the presence of the petitioner.



W.P. Dyansobera
Judge