

IN THE HIGH COURT OF THE UNITED REPUBLIC OF TANZANIA

(DODOMA DISTRICT REGISTRY)

AT DODOMA

PROBATE AND ADMINISTRATION CAUSE NO. 2 OF 2022

IN THE MATTER OF THE ESTATE OF THE LATE GODFREY DAVID LYANGA

AND

IN THE MATTER OF APPLICATION FOR LETTERS OF ADMINISTRATION

ANNA JUMA HAMISI @ AMINA JUMA HAMISIPETITIONER

RULING

30/05/2022 & 14/06/2022

KAGOMBA, J

The petitioner ANNA JUMA HAMISI @ AMINA JUMA HAMISI of Area C, Kiwanja cha Ndege ward within the city of Dodoma, do hereby petition for grant of Letters of Administration of the Estate of the late GODFREY DAVID LYANGA, who died intestate in General Hospital, Dodoma on 20th October, 2021.

The Petition is made under Section 56 of the Probate and administration of Estate Act, [Cap 352 R.E 2002] (the Act) together with rule 39 of the Probate Rules, 1963, G.N No.369 of 1963 (the Rules). The petition is supported by Verification of Petition under Section 57(1) of the Act and Rule 34 of the Rules, Administratrix's Oath under Section 66 of the Act and Rule 65 of the Rules, Administratrix's Bond with Sureties under Section 67 of the Act and Rule 66 of the Rules, Consent of the

heirs under Rule 71 of the Rules as well as Affidavit as to Domicile under Rule 64 of the Rules.

The Petition is also attached with the minutes of the family meeting held on 24th October, 2021 where the petitioner ANNA JUMA HAMISI @ AMINA JUMA HAMISI was nominated to petition for the grant of the Letters of Administration of the estate of the late GODFREY DAVID LYANGA together with the death certificate.

Paragraph 1 and 3 of the Petition identifies the heirs and assets of the late GODFREY DAVID LYANGA. Also in paragraph 5, 6 and 7 of the Petition, the petitioner has stated a fixed place of abode of deceased as Area C, Kiwanja cha Ndege ward in the city of Dodoma and that the deceased professed Christian religion and there was no any proceeding for grant of probate or letters of administration of the estate of the deceased which has been commenced before any Court or authority within or outside Tanzania.

The General Citation of the petition subject to Rule 75 and Rule 76 of the Rules was published in Mwananchi Newspaper dated 18th May, 2022 and no caveat has been lodged to contest the petition of the petitioner to be appointed as administratrix of the estate of the late GODFREY DAVID LYANGA.

In that regard, Mr. Kesanta, the learned advocate for the petitioner prayed the Court to grant the petitioner's petition because all procedural requirements are met.

The petitioner through Verification of Petition and Administratrix's Oath attached to the petition, has certified that she will administer estates of the late GODFREY DAVID LYANGA diligently and faithfully.

Having found that the petition before the Court is duly filed and the eligibility of the petitioner has not been challenged as aforesaid, the petition is hereby granted accordingly. As such, the petitioner ANNA JUMA HAMISI @ AMINA JUMA HAMISI is hereby appointed as the Administratrix of the Estate of the late GODFREY DAVID LYANGA.

The Administratrix shall discharge her administrative duties in accordance with the Probate and Administration of Estate Act [Cap 352 R.E 2002] and the Probate Rules, 1963 [G.N No. 369 of 1963] by among other things, being timely in execution of her duties and filing of the inventory in this Court within six (6) months of the grant of letters of administration and upon conclusion of the administration of the said estate. The petitioner shall bear her own cost with regard to the filing of the petition.

It is ordered accordingly.

DATED at DODOMA this 14th Day of June, 2022



ABDI S. KAGOMBA

JUDGE