

**IN THE HIGH COURT OF THE UNITED REPUBLIC OF TANZANIA  
TEMEKE SUB-REGISTRY  
(ONE STOP JUDICIAL CENTRE)  
AT TEMEKE**

**PROBATE AND ADMINISTRATION CAUSE NO. 81 OF 2022**

**IN THE MATTER OF THE ESTATE OF THE LATE HAMOUD NASSOR  
MSABAHA**

**AND**

**IN THE MATTER OF APPLICATION FOR LETTERS OF  
ADMINISTRATION BY ZEYANA ALI KHALFAN**

**RULING**

Date of last order: - 08/06/2022  
Date of the ruling: - 10/06/2022

**OPIYO, J.**

The petitioner, Zeyana Ali Khalfan petitioned before this court under section 56 of the Probate and Administration of Estates Act, Cap 352 R.E 2019 for the grant of letters of administration of the estate of the late Hamoud Nassor Msabaha who died at Muhimbili National Hospital, Dar es Salaam on the 19<sup>th</sup> day of July 2020 as per the death certificate attached to the petition. The petition has been accompanied by the affidavit to accompany the petition for grant of letters of administration by a sole administrator, an affidavit as to domicile, an affidavit of the petitioner

where consent is not available in relation to Feisal Hamoud Nassor (deceased son), Fatma Hamoud Nassor( deceased daughter), Nassor Hamoud Nassor (deceased son), administration bond with the surety, consent of two heirs Mohamed Hamoud Nassor and Ally Hamoud Nassor, Certificate as to surety's financial position, Administrator's oath and the death certificate.

It is pleaded in the petition that the deceased was a Tanzanian who professed Islamic faith at the time of his death. The petitioner stated that she has complied with the citation order by publishing in **Mwananchi Newspaper** dated **28<sup>th</sup> April 2022** on **page 28** and **Government Gazette** dated **6<sup>th</sup> May 2022** on **page 7**. That, upon such compliance there is no caveat lodged in court so far. Therefore, it is her prayer for letters of administration to be granted.

I have gone through the records and got satisfied that the deceased died intestate. The petitioner has complied with the requirement of the law as her application is accompanied by all relevant required documents. Considering that no caveat has been launched since the publication of the general citation and that there are no pending proceedings of a grant of letters of administration of the said deceased as the ruling of **Civil**

**Revision No. 29 of 2021 of District Court of Ilala at Kinyerezi** quashed the decision of **Probate and Administration Cause No. 41 of 2021 of Ilala Primary Court** and provide liberty to file the matter a fresh resulting to this petition, I find no reason to deny her application. In the event, I grant the letters of administration to **Zeyana Ali Khalifan** who is hereby appointed as a **sole administratrix** of the estate of the late **Hamoud Nassor Msabaha**. She has to exhibit the correct inventory of the deceased estate and accordingly file final accounts on the same within the time as will be prescribed by the court.

It is so ordered.



A handwritten signature in blue ink, appearing to be "M. P. Opiyo", written over a horizontal line.

**M. P. OPIYO,**

**JUDGE**

**10/06/2022**