

IN THE HIGH COURT OF THE UNITED REPUBLIC OF TANZANIA

IN THE DISTRICT REGISTRY OF TANGA

AT TANGA

LAND REVISION No. 3/2019

(From the decision of the District Land and Housing Tribunal for Korogwe District at Korogwe in Land Application No. 20/2019.)

HAMISI RAMADHANI (Administrator of estate

of the late MAJABU FALIJALA) APPELLANT

VERSUS

MTAMBO JUMA & ANOTHER RESPONDENT

R U L I N G

MRUMA, J.

This is a revision application. The Applicant Hamisi Ramadhani (Who is the administrator of the estate of the late Majabu Falijala) wants this court to call and revise the proceedings and orders of Korogwe District Land and Housing Tribunal in Miscellaneous Land Application No. 20/2019 on the ground that the proceedings were irregular because despite the late Majabu Falijala informing the ward Tribunal that she was not aware of Land dispute No. 2/2006 of Mkomaze Ward Tribunal which was being executed, the District Land and Housing tribunal went ahead to issue an order for execution.

I have taken liberty to go through the records of both the Mkomazi Ward Tribunal in Land Dispute No. 6/2006 and those of the Korogwe District Land and Housing Tribunal in Miscellaneous Land Application No. 20/2019 and I find that this application for revision was preferred without any substance.

The record of Land Dispute No 6/2006 of the Mkomazi Ward Tribunal indicates that the late Majabu Falijala who was the respondent appeared before that tribunal and gave her defense. After hearing both parties, the Ward Tribunal gave judgment in favor of the present Respondents Mtambo Juma and Selemani Hamisi.

The late Majabu Falijala did not appeal against that decision. The present Respondent applied for execution in the District Land and Housing Tribunal, which ordered the Decree of the Ward Tribunal to be executed and hence this revision. From this background it is therefore without any doubt that the basis of the applicant's complaint, that the late Majabu Falijala was not aware of Land Dispute No. 6/2006 of Mkomazi Ward Tribunal is unfounded. This revision is an afterthought. For those reasons Land Revision No. 3/2019 is dismissed with cost.



[Handwritten Signature]
A. R. Mruma

Judge

07/01/2022