

IN THE HIGH COURT OF TANZANIA
(DAR ES SALAAM SUB DISTRICT REGISTRY)
AT DAR ES SALAAM
PROBATE AND ADMINISTRATION CAUSE NO. 16 OF 2008
IN THE MATTER OF THE ESTATE OF LATE AMANI KASSIM
AND
IN THE MATTER OF PETITION FOR GRANT OF LETTERS OF ADMINISTRATION
IN RESPECT OF UNADMINISTERED ASSETS
BY
KASSIM AMANI KASSIM
RULING

Date of last order: 20/10/2022

Date of Ruling: 28/10/2022

E.E. KAKOLAKI, J.

Kassim Amani Kassim, has petitioned this court to grant him letters of administration in respect of the estate of the late Amani Kassim, who died at Muhimbili National Hospital on the 31st day of August, 2006. It is gleaned from the averment in the petition that, on 5th December 2011 this Court granted letters of administration to one Mwamvita Mwimanzi, whose appointment was revoked on 26th November 2013, before she had accomplished her duties in the office. It is also learnt further that, on 30th October 2014, one Asha Ramadhan Ruhinda the deceased mother was appointed by the Court to replace Mwamvita Mwimanzi as administratrix of

the estate of the late Aman Kassim but she could not live to discharge her duties as she succumbed to death on the 26th day of August, 2020 at Temeke hospital. According to the petition the deceased Aman Kassim is survived by the following beneficiaries.

- (1) Sabrina Amani, a child of the deceased who resides at Njiro street, Ilala District in Dar es Salaam.
- (2) Kassim Amani Kassim, petitioner and child of the deceased who resides at Msisiri A street, Ilala District in Dar es Salaam.
- (3) Mwamvita Mwimanzi, wife of the deceased who resides at Kinondoni District in Dar es Salaam.
- (4) Maimuna Mussa, a deceased divorcee residing at Njiro Street.

The general citation was issued and dully published through Mwananchi Newspaper dated 30/07/2022 and the Government Gazette dated 29th July 2022. Up to date of hearing of the petition no any caveat had been entered by the deceased relatives or other members of the public in Tanzania and/or abroad.

When the petition came for hearing, counsel for the petitioner Mr. Joseph Mulla Mulla, appeared ready to be heard, in which the hearing proceeded

orally. In his submission the learned counsel prayed to adopt form No. 33 and its annexures, to form part of his submission and proceeded to submit that, the petitioner is the deceased's child. He said, death of Asha Ramadhani Ruhinda, as the last administratrix of the estate is the reason for the petitioner to prefer this petition as there is deceased estate which remained unadministered by the late Asha Ramadhani Ruhinda. On that note, and in the absence of any caveat filed to challenge petitioner's appointment after compliance with the citation procedures, it was his prayer that, the petitioner be appointed so as he completes the unfinished duties by the former administrator Ms. Asha Ramadhani.

Having satisfied myself in terms of Rule 76 of the Probate and Administration Rules, 1963 that 14 days has passed since the last citation and given the fact that the petitioner has met all the requirements for appointment, I hereby appoint Kassim Amani Kassim as administrator of the estate of the late Amani Kassim and issue to him the letters of administration as prayed.

The petitioner will be subjected to guidance and directives of the court during his tenure in the office and shall file in court the inventory of estate and final account exhibiting distribution of the estate amongst the

heirs/beneficiaries timely as provided under section 107(1) of the Probate and Administration of Estates Act, [Cap. 352 of 2002].

No order as to cost.

Order accordingly.

Dated at Dar es Salaam this 28th October, 2022



E. E. KAKOLAKI

JUDGE

28/10/2022.

The Ruling has been delivered at Dar es Salaam today 28th day of October, 2022 in the presence of Mr. Joseph Mulamula, advocate for the applicant and Ms. Asha Livanga, Court clerk.

Right of Appeal explained.



E. E. KAKOLAKI

JUDGE

28/10/2022.

