

**IN THE HIGH COURT OF THE UNITED REPUBLIC OF TANZANIA
IN THE SUB-REGISTRY OF DAR ES SALAAM
AT DAR ES SALAAM**

PROBATE AND ADMINISTRATION CAUSE NO. 4 OF 2022

**IN THE MATTER OF ESTATE OF THE LATE COL. RASHIDI RAJABU KIZOKA
AND
IN THE MATTER OF APPLICATION FOR LETTERS OF ADMINISTRATION BY
PRISCA RASHIDI KIZOKA**

RULING

12th and 13th December, 2022

KISANYA J.:

Col. Rashidi Rajabu Kizoka died on the 12th January, 2000 at Kinondoni, Dar es Salaam. On 26th February, 2001, Sindano Rashidi Kizoka was appointed to administer his estate. His appointment was made by this Court vide Probate and Administration Cause No. 52 of 2000. However, on 25th March, 2022, the letters of administration granted to the said Sindano Rashidi Kizoba was revoked by this Court.

As the Court ordered that a fresh appointment of a new administrator of the estate to commence, Prisca Rashidi Kizoka has petitioned for grant of letters of administration of the estate of the

late Col. Rashidi Rajabu Kizoka. Her petition is preferred under section 56 of the Probate and Administration of Estates Act [Cap. 352, R.E. 2002].

Appended to the petition are copies of the letters of administration dated 26th February, 2001 granted to Sindano Rashidi Kizoka and ruling of this Court in Misc. Civil Application No. 344 of 2021. Other documents in support of the petition are heirs consent, administrators' oath, and affidavit as to domicile of the deceased. In addition, the petitioner has moved this Court, under section 67 of Cap. 352 R.E. 2002 and rule 67(1) of the Probate Rules, to grant an order of dispensing with the requirement of administrator's bond and sureties at the time of filing the petition.

It is stated in the petition that, the deceased is survived by his four children namely, Prisca Rashidi Kizoka, Sindano Rashidi Kizoka, Ruwaga Rashidi Kizoka and Ibrahim Rashid Kizoka. It was further stated that the assets which are likely to come into the petitioner's hands for are Plot No. 13, Block YY, Kilosa Area and a house on Plot No. 324 with 7 business blocks at Mikocheni area, Kinondoni, Dar es

Salaam, both estimated at the cumulative value of Tshs. 800,000,000/=.

The general citation of the petition was published in Mwananchi newspaper of 6th October, 2022 and Government Gazette of 2nd December, 2022. The petition is non-contentious because no person has objected it after the general citation.

In that regard, when the matter was called before me for hearing, Mr. George Mwiga, learned advocate for the petitioner urged this Court to grant the letters of administration.

I have dutifully examined the petition, supporting documents and the submission by the petitioner's counsel. Having done so, I am satisfied that the petition meets the legal requirements. This is when it is considered that no caveat or objection has been entered after the general citation of the petition.

In the event, the petition is hereby granted by appointing Prisca Rashidi Kizoka to be the administrator of the estate of the late Col. Rashidi Rajabu Kizoka in accordance with the law. Further to this, the administrator is directed to file an inventory of the

deceased's estate within six months from the date hereof (on or before 12/06/2023) and exhibit final account within twelve (12) months from the date of this ruling.

It is so ordered.

DATED at **DAR ES SALAAM** this **13th** day of **December,**
2021.



S.E. KISANYA
JUDGE