

**IN THE HIGH COURT OF THE UNITED REPUBLIC OF TANZANIA**  
**MWANZA DISTRICT REGISTRY**  
**AT MWANZA**  
**PETITION NO. 22 OF 2022**  
**IN THE MATTER OF THE PETITION**  
**FOR LETTERS OF ADMINISTRATION BY**  
**LAURENCIA MAPOMBE ELIAS ..... PETITIONER**  
**AND**  
**IN THE MATTER OF THE ESTATE OF**  
**JOSEPH WILSON MANDE .....DECEASED**

**RULING**

10<sup>th</sup> & 12<sup>th</sup> May, 2022

**M. MNYUKWA, J**

In this probate case, the petitioner Laurencia Mapombe Elias petitioned for letters of administration of the estate of the late Joseph Wilson Mande who died intestate on 1<sup>st</sup> October 2021 as evidenced by the copy of the death certificate admitted as Exhibit P1.

According to the petition which is undisputed, the deceased is survived by six dependants who are his four children, his wife and his mother namely: -

- (i) Geoffrey Joseph Mande (child)



- (ii) Teckla Joseph Mande (child)
- (iii) Faith Joseph Mande (child)
- (iv) Joseph Joseph Mande (child)
- (v) Laurencia Mapombe Elias (wife)
- (vi) Angelina Wilson Mande (mother)

The petition was accompanied by the following documents; an affidavit as to domicile filed under Rule 64 of Probate Rules GN 369 of 1963, the administrator's oath in terms of section 66 of the Probate and Administration of Estate Act, Cap 352 RE 2019 and Rule 65 of the Probate Rules GN 369 of 1963, Administration Bond with sureties in terms of section 67 of Probate and Administration of Estate Act Cap 352 R. E 2019 and Rule 66 of Probate Rules GN No. 369 of 1963, certificate as to sureties financial position in terms of Rule 69 of the Probate Rules GN 369 of 1963, death certificate admitted as Exhibit P1 and minutes of the family meeting which was tendered and admitted as Exhibit P2.

After the matter was filed, a general citation was issued in the Government Gazette dated 11<sup>th</sup> March 2022 as well as Mwananchi Newspaper dated 11<sup>th</sup> March 2022. Following that general citation, no body filed any caveat to object the appointment of the petitioner. At the



hearing, the petitioner testified and her evidence was recorded. She testified that she was the wife of the deceased and that they have contracted Christian marriage on 2<sup>nd</sup> June, 2018 as evidenced by the marriage certificate that was admitted as Exhibit P3. That, she was appointed by the family meeting through agenda No. 2 to administer the estate of her husband, the deceased, which was conducted on 9<sup>th</sup> October 2021.

The petitioner's appointment as the administrator of the deceased's estates was joined hands with the evidence of Sande Wilson and Seka Wilson Mande who are the brothers of the deceased. Both of them testified to the effect that they have appointed the wife of the deceased one Laurencia Mapombe Elias who is the wife of the deceased and the petitioner in this petition to administer the estate of the deceased, Joseph Wilson Mande.

The petition reveals the estate that are likely to come to her hands valued Tsh 57,117,414/= includes;

- (i) House situated on squatter No 398, Nyabusalu Kiseke ward at Kiseke, Mwanza.
- (ii) A plot squatter at Bulale Buhongwa ward at Mwanza.



- (iii) Mwalimu Commercial Bank Account.
- (iv) National Microfinance Bank Account.
- (v) CRDB Bank Account.
- (vi) Pension under PSSSF Scheme.
- (vii) Household items in the residential home.

After I examined the petition and the documents filed in support of it, I am satisfied that, the petitioner Laurencia Mapombe Elias is a fit person to administer the estate of the deceased. Therefore, she is hereby appointed in terms of section 33 (1) and (4) of the Probate and Administration of the Estate Act, Cap 352 RE. 2019 to administer the estate of the late Joseph Wilson Mande, the deceased and shall truthfully and faithfully do so.

Following such appointment, it is hereby ordered that: -

- (a) The appointed administrator be given a letter of appointment as administrator of the estate of the deceased. The Registrar shall cause to be filled form 68 of the schedule to the Probate Rules.
- (b) The appointed administrator should carry out her duties of collecting the properties of the deceased, paying debts owned by



the deceased, distributing the estate of the deceased to his heirs  
and;

(c) The appointed administrator should file inventory of the estate  
and file account thereby closing the administration process within  
six months.

(d) The Registrar shall cause to be filled Form 68 of the schedule  
to the Probate Rules.

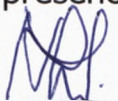
It is so ordered

Dated at Mwanza this 12<sup>th</sup> day of May, 2022



  
**M. MNYUKWA**  
**JUDGE**  
**12/05/2022**

**Court:** Ruling delivered today in presence of the petitioner in person.

  
**M. MNYUKWA**  
**JUDGE**  
**12/05/2022**