

**IN THE HIGH COURT OF UNITED REPUBLIC OF TANZANIA
MWANZA DISTRICT REGISTRY
AT MWANZA**

PETITION NO. 04 OF 2022

**IN THE MATTER OF THE PETITION FOR LETTERS OF
ADMINISTRATION**

BY

PAULINA KILELE..... 1ST PETITIONER

MZEE WILLIAM KILELE.....2ND PETITIONER

AND

**IN THE MATTER OF THE ESTATE OF
WILLIAM MWANAH KILELE.....DECEASED**

RULING

17th & 20th May, 2022

M. MNYUKWA, J

This is a ruling in respect of, petition for letters of administration of the estate of the late William Mwanah Kilele. The petitioners Paulina Kilele and Mzee William Kilele are the deceased widow and son respectively. The deceased died intestate on 19/12/2021 as evidenced by the copy of the death certificate admitted as Exhibit P1.

The filed petition which is undisputed, states that the deceased is survived by six dependants who are his widow and children namely: -



- (i) Paulina Kilele (widow)
- (ii) Rehema Kilele (child)
- (iii) Mzee Willium Kilele (child)
- (iv) Anna Kilele (child)
- (v) Suzzana Kilele (child)
- (vi) Michael Kilele (child)

The petition was accompanied by the following documents; an affidavit as to domicile filed under Rule 64 of Probate Rules GN No. 369 of 1963, the administrator's oath in terms of section 66 of the Probate and Administration of Estate Act, Cap 352 R:E 2019 and Rule 65 of the Probate Rules GN No. 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, the consents of heirs under Rule 71 of Probate Rules GN No. 369 of 1963, affidavit of consents of heirs under Rule 72 of Probate Rules GN No. 369 of 1963, certificate as to sureties financial position in terms of Rule 69 of the Probate Rules GN No. 369 of 1963, death certificate admitted as Exhibit P1 and minutes of the family meeting which was tendered and admitted as Exhibit P2.

By petitioners' prayer and in accordance with the law applicable, general citation was issued in Mwananchi Newspaper dated 15/4/2022



together with Government Gazette dated 15/4/2022. Following that general citation, no caveat was filed to object the appointment of the petitioners. At the hearing, the petitioners testified to the effect that they were appointed by the family meeting through agenda No. 6 to administer the estate of the deceased and that the family meeting was held on 24/12/2021. The petition reveals the estate that is to be administered by the petitioners to approximately value more than Tsh. 1 billion which includes movable and immovable properties.

I went through the petition and the documents filed in support of it and I am of the firm view that the petitioners Paulina Kilele and Mzee William Kilele are fit persons to administer the estate of the deceased. Therefore, Paulina Kilele and Mzee William Kilele are hereby appointed in terms of section 33 (1) and (4) of the Probate and Administration of the Estate Act, Cap. 352 R:E 2019 to administer the estate of the late William Mwanah Kilele, the deceased and shall truthfully and faithfully do so.

Following such appointment, it is hereby ordered that: -

- (a) The appointed administrators each be given 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 administrators should carry out their 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 administrators should file inventory of the estate and file account thereby closing the administration process within six months.

It is so ordered

Dated at Mwanza this 20th day of May, 2022



A handwritten signature in blue ink, appearing to be "M. Mnyukwa".

M. MNYUKWA
JUDGE
20/05/2022

Court: Ruling delivered today on 20th day of May, 2022 in presence of the petitioners in person.

A handwritten signature in blue ink, appearing to be "M. Mnyukwa".

M. MNYUKWA
JUDGE
20/05/2022