

TANZANIA / JUDGMENT

INVOCAVIT TEMU vs ELINAMI RUMISHAEL TEMU

COURT
TANZLIIDECIDED
20 March 2025

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IN THE HIGH COURT OF TANZANIA ARUSHA SUB-REGISTRY AT ARUSHA Probate and Administration Cause NO. 26052 OF 2024 IN THE MATTER OF ESTATE OF THE LATE ELINAMI RUMISHAELI TEMU..... DECEASED AND IN THE MATTER OF APPLICATION FOR PROBATE BY INVOCAVIT ELINAMI T E M U PETITIONER

RULING

20/03/2025 & 20/03/2025 NDUMBARO, 3 The petitioner has petitioned for an order to grant probate of the Estate of Elinami Rumishael Temu who died intestate. The court was moved under the provision of sections 56 of Probate and Administration of Estate Act Cap 352 R.E 2002, accompanied by necessary documents to satisfy the requirements of the petition for letters of administration under sections 56, 66 and 67 and rules 32, 65, and 64 69 71 as petition of probate, administrators' oath, administrators' bond with sureties, affidavit to accompanying petition for grant, affidavit as to deceased domicile, administrators oath, certificate of surety financial position, Consent as to beneficiaries and copy of the death certificate respectively. Records show the deceased was a Christian survived by nine children and a widow namely; Invocavit Elinami Temu a son, Wefking Elinami Temu a son, Steven Elinami Temu a son, Kenneth Elinami Temu a son, Japhet Elinami Temu a son, Neema Elinami Temu a daughter, Hillary Elinami Temu a son, Lydia Elinami Temu a daughter, Emmanuel Elinami Temu a son and a wife of the deceased (a widow) Mrs Elingisongoya Elinami Temu. The Deceased left the following properties:-

1. A house and farm located at Mamba Lekura. Kyera Street in Moshi Kilimanjaro
2. A three acres farm and house located at Maji ya Chai Ngurdoto Village Arumeru District within Arusha Region.
3. A house Plot Number 249 Block X in Levulosi Ward in Arusha City Municipality.
4. A house Plot Number 449 Block f in Levulosi Ward in Arusha City Municipality.
5. A house Plot Number 729 Block w in Majengo in Arusha City Municipality.
6. A house Plot Number 459 Block F at FFU Mrombo in Arusha City Municipality.

7. Plot No. 615 "J" Njiro in Arusha City Municipality.
8. Unsurvey Plot kwa Murombo in Arusha City Municipality.
9. A vehicle with registration Number T114 AYF Make Toyota Primo.
10. A vehicle with registration No. T353 CCJ Make LandRover
11. One diary Cow at Maji ya chai Arusha.
12. The Bank Account Numbers 4080831314 NMB Bank
13. Share at NMB Bank When the matter was called on for hearing, the petitioner submitted that he had made the requisite citation through the government gazette dated 17 January 2024 Issue No. 3 page 149 and in the Mwananchi Newspaper dated 11 October 2024 issue No. 8845. The petitioner went on to state that, considering that no caveat has been made against the practitioner's appointment, it was his prayer that this court grants the application for probate and appoints the petitioner as an administrator of the estate of the late Elinami Rumishael Temu. In the administrator's oath, the petitioner has demonstrated willingness, faithfulness and awareness of the duties as an administrator of the deceased's estate according to the law, and he will be responsible for exhibiting full and true inventory of the said properties and credit in courts within six months from the date of grant to be made to him with such time as the court may appoint, and render true account of his administration within one year from the same date or within such time as the court from time to time may appoint. Upon considering the petitioners' application on all legal requirements and all procedures as to citing the notice in the government gazette dated 17 January 2024 Issue No. 3 page 149 and in the Mwananchi Newspaper dated 11 October 2024 issue No. 8845 was adhered to, and since no caveat was lodged before this court, I do hereby grant the petition. The petitioner Invocavit Elinami Temu is hereby appointed as an administrator of the estate of the late Elinami Rumishael Temu and shall perform his legal duties under law by exhibiting inventory and final account of the estate of the deceased within the period of six months from the date of appointment. DATEQ^tARUSHA this 20th Day of March 2025. D.D. NDUMBARO JUDGE 20/ 03/2025

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