

TANZANIA / JUDGMENT

20170724 TZHC Mwanza

COURT
TZHCDECIDED
24 July 2017

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IN THE HIGH COURT OF TANZANIA AT MWANZA LAND CASE NO. 04 OF 2014 MWANAIDI
ATHUMANI. PLAINTIFF VERSUS THE ATTORNEY
GENERAL.-..... 1 sT DEFENDANT ASSISTANT COMMISSIONER FOR LAND
LAKE ZONE 2ND DEFENDANT . RD DIRECTOR MWANZA
CITY 3 DEFENDANT JUDGEMENT ON ADMISSION BEFORE: MAIGE,J
The plaintiff filed the above suit for an order that the defendants be ordered to perform tlieir -
statutory duties by issuing a Certificate of Occupancy to the plaintiff in respect of the property at
plot No. 1 block "O" Rufiji street within reasonc~ble_ time.· The claim is premised on the
judgement of Court of Appeal in civil appeal No. 24/1992 between the plaintiff and one Rashid
Said in which the CAT directed the Certificate of Title issued to the defendant therein in respect
of the above property, be revoked and the said plot be restored to the plaintiff.. 1 When the
matter came for hearing, the plaintiff appeared through her attorney Mr .. Hussein, the 1st
Defendant was represented by Mr. Krumuna, State attorney whereas the 3rd defendant, by the
Masunga solicitor. Both the defense counsel admitted the claim . . In terms of order XV of the
Civil Procedure Act therefore, I will pronounce a judgement on admission in· favour of the
plaintiff against the defendant as follows:- The defendants are hereby ordered to issue a
Certificate of Title in favour of the plaintiff ·in report of the property at Plot No. 1 Block "O" Rufiji
Street Mwanza within 90 days from the date hereof. I will not give an order as to costs in the
circumstance. D \ t I.~~~ JUDGE r 2

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CASE PAGE <https://chat.esheria.ai/case-law/tanzania/mwanaidi-athumani-certificateofoccupancy-tzhc-2017>

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