

IN THE HIGH COURT OF THE UNITED REPUBLIC OF TANZANIA

[ARUSHA DISTRICT REGISTRY]

AT ARUSHA

PROBATE AND ADMINISTRATION CAUSE No. 9 OF 2022

**IN THE MATTER OF THE PROBATE AND ADMINISTRATION OF THE
ESTATES ACT [ACT NO. 9 OF 1963]**

**IN THE MATTER OF ADMINISTRATION OF THE ESTATE OF THE LATE SHOO
ALBLESS SHOO**

AND

**IN THE MATTER OF APPLICATION FOR GRANT OF LETTERS OF
ADMINISTRATION BY OSCAR JOHNSON SHOO**

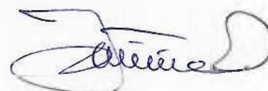
RULING

26th August, 2022

TIGANGA J.

The late Shoo Allbless Shoo lived his life and died intestate living behind one wife and two children, namely; Joyce A. Shoo (the wife) Fiane A. Shoo (daughter) and Bob Kelvin Shoo (son). He also left behind a number of properties in form of shares with various company, cash money in Bank Accounts and other business enterprises in Tanzania and probably elsewhere.

After his demise, the family conducted a meeting in which they appointed and proposed one Oscar Johnson Shoo the young brother of the deceased, to be appointed as the administrator of the estate of the deceased. Following that appointment and proposition of the said Oscar

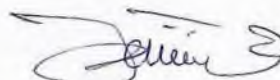


Johnson Shoo, he filed this petition seeking to be appointed as the Administrator. His petition was attached and supported by the death certificate of the deceased which proves that, the deceased died on 24th March, 2021. It was also supported by a copy of the document titled "Kikao cha Kuvunja Tanga Ndugu baada ya mazishi ya Ndugu Alibless Shoo." in which, the petition was appointed and proposed to be appointed as administrator of the estate.

The petition was accompanied by the affidavit as to domicile by the petitioner made in terms of Rule 64 of the Probate Rules, the Administrators Oath made in terms of section 66 of the Probate and Administration of the Estate Act Cap 352 R.E. 2002 and Rule 65 of the Probate Rules.

Administrators bond with sureties made under S. 67 of the Act and Rule 66 of the Rules, and the certificate as to sureties' financial position made under Rule 69 of the Probate Rules.

By the order of this court the citation was issued which was published in the Government Gazette Issue No. 25, dated 24th June, 2022 as well as in Mwananchi Newspaper dated 15th July 2021. But up to this moment, that is on 26th September, 2022 no caveat has been entered.



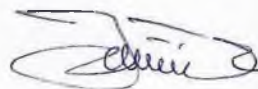
In a bid to satisfy itself on the fitness, faithfulness and trust worth of the petitioner, the court called upon the petitioner to call the beneficiaries to testify in court.

All four witnesses who testified, that is the petitioner himself, who testified as PW1, the wife of the deceased who testified as PW2, both children who testified as PW3 and PW4, supported the appointment of the petitioner. They described him as a person of high integrity, God fearing, trustful and faithful and whom they have no doubt that he will administer the estate at the standard set by law and thereby meet their expectation.

Basing on the credit given to the petitioner, the fact that, no caveat has been entered, I am convinced to believe that the petitioner is a fit person to be appointed Administrator of the estate of the deceased.

In terms of section 33 of the Probate and Administration of the Estate, Act, do hereby allow the petition by appointing Oscar Johnson Shoo as the Administrator of the estate of the deceased Shoo Allbless Shoo who shall be required to do the following:

- i. To collect the estate of the deceased.
- ii. To file an inventory in court within four months containing the actual and accurate list of the already collected estate of the deceased.




- iii. After so filling the inventory, the court shall order him to go and pay and clear debt due to the deceased.
- iv. Where after in six months of his appointment, the administrator shall be required to file in court, the final account with the detailed distribution of the said estate to the entitled heirs.
- v. Mention to ascertain as to whether inventory has been filed be on 26/01/2023.

It is so ordered.

DATED at **ARUSHA**, this 26th day of September, 2022.




J. C. TIGANGA
JUDGE