

**IN THE HIGH COURT OF TANZANIA  
MWANZA DISTRICT REGISTRY  
AT MWANZA  
PETITION NO. 20 OF 2021  
IN THE MATTER OF THE PETITION  
FOR LETTERS OF ADMINISTRATION BY  
ENTEMI SAGUDA MALECHA ..... PETITIONER  
AND  
IN THE MATTER OF THE ESTATE OF  
SAGUDA NDUTULE DOTTO.....DECEASED**

**RULING**

8<sup>th</sup> & 25<sup>th</sup> March, 2022

**M. MNYUKWA, J**

In this probate case, the petitioner Entemi Saguda Malecha petitioned for letters of administration of the estate of the late Saguda Ndutule Dotto who died intestate on 24/09/2021 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 eleven dependants who are his children and two wives namely: -

- (i) Ruth Saguda (child)



- (ii) Rahel Saguda (child)
- (iii) Scholastica Saguda (child)
- (iv) Ibrahim Saguda (child)
- (v) Isaka Saguda (child)
- (vi) Winfrida Saguda (child)
- (vii) Makonda Saguda (child)
- (viii) Mathayo Saguda (child)
- (ix) Emily Saguda (child)
- (x) Salome Masuka (wife)
- (xi) Joyce Joseph (wife)

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, the consents of heirs under Rule 71 of Probate Rules GN 369 of 1963, the affidavit to accompany the petition by sole administrator in terms of Rule 32 of the



Probate Rules GN 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 Mwananchi Newspaper dated 1/1/2022. Following that general citation, no body filed any caveat to object the appointment of the petitioner. At the hearing, the petitioner testified and his evidence was recorded. He testified that he was appointed by the family meeting through agenda No. 3 to administer the estate of the deceased and that the family meeting was held on 4/10/2021. The petitioner also testified that the deceased has left properties that is valued 500,000,000/=. The family meeting minutes reveals the estate to include gold weighing gram 7028.7, bank accounts, houses, plots, motor vehicles, and plants.

After I examined the petition and the documents filed in support of it, I am satisfied that, the petitioner Entemi Saguda Malecha is a fit person to administer the estate of the deceased. Therefore, he 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 Saguda Ndutule Dotto, the deceased.

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.
- (b) The appointed administrator should carry out his 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.

It is so ordered

Dated at Mwanza this 25<sup>th</sup> day of March, 2022



**M. MNYUKWA**  
**JUDGE**  
**25/03/2022**