

**THE REPUBLIC OF UGANDA  
IN THE HIGH COURT OF UGANDA  
HOLDEN AT MBALE**

**HCT-04-CR-CR-0002-2012**

**(FROM MBALE CHIEF MAGISTRATE'S COURT ADMINISTRATION  
CAUSE NO. 27/2003)**

**IN THE MATTER OF THE ESTATE OF THE LATE JOYCE KHAINZA  
ESTHER WAMIMBI.....APPLICANT**

**BEFORE: THE HON. MR. JUSTICE MUSOTA STEPHEN**

**ORDER IN REVISION**

File before me for Revision as per the request by the learned Chief Magistrate Mbale dated 2<sup>nd</sup> February 2012. She refers to another letter from the Administrator General's Office ref. BGS/AG/682/011 dated 27<sup>th</sup> January 2012 to the effect that at the time of grant the learned Chief Magistrate had no jurisdiction to grant letters of administration in an estate whose value exceeded 100,000/=.

According to the application in Administration Cause 27/2003 the estimated value of the estate of the deceased was 500,000/= (five hundred thousand shillings) which put the estate out of the jurisdiction of the court presided over by the Chief Magistrate whose jurisdiction did not exceed 100,000/= shillings.

Consequently I will find that the learned Chief Magistrate acted without jurisdiction when he granted powers to administer the estate of the late **Khainza Joyce** to her sister **Esther Wamimbi**. The grant was therefore illegal and null and void *ab initio* for want of jurisdiction.

The letters of administration are hereby cancelled.

Reference is made to the Administration of Estates (Small Estates) (Special Provisions) Act S.2 (1) (c) thereof in force at the time.

**Stephen Musota**

**JUDGE**

**15.2.2012**