

**IN THE SUPREME COURT OF
REPUBLIC OF VANUATU**

(Probate Division)

Probate Case No.01 of 1999

IN THE MATTER: of an application for Letters of Administration in
the **ESTATE** of the Late **ANNE MARIE
MELTEWOMU** by **ERNEST MELTEWOMU**

Applicant

Coram: Before Mr Justice Oliver A. Saksak
Sitting in Chambers.

JUDGMENT

Facts:

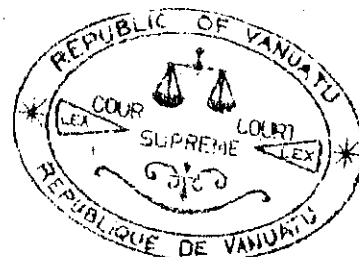
The Applicant here is the husband of the deceased who died on 6th January, 1999. The property in question are moneys held at the National Bank of Vanuatu in the sum of VT676.148 in Account No.51-075 296-30, and at the Westpac Account No.03-683 780-50 in the sum of VT17.031. There is no real property.

The Applicant and the deceased have 3 children by their marriage. There is no Marriage Certificate but there is a Death Certificate confirming death.

Mrs Rita B. Naviti, Registrar of the Supreme Court filed an affidavit in opposition to the grant of letters of probate to the Applicant on the basis of the deceased's last Will. The Will was registered on 7th October 1998. The Will specifically states that Mrs Naviti has been appointed by the deceased as Administratrix of the Deceased's estate in accordance with the deceased's wishes as expressed in her Will.

Finding:

Having read the documents before me and further the affidavit of Mrs Rita B. Naviti opposing the Applicant's application, I find that for some reasons expressed by the deceased in her last Will she does not wish her



surviving husband to be given any right to her Estate. I find rather that she has appointed Mrs Naviti to be Administratrix of her Estate for the benefit of her two daughters.

I note from paragraph 6 of Mrs Naviti's affidavit that moneys are to be held in trust and the signatories to the trust fund should be decided on by the Court.

Ruling:

For these reasons I refuse the Applicant's Application to be granted Letters of Administration in respect of the deceased's Estate in this matter. I however grant Letters of Administration instead to Mrs Rita B. Naviti. I further order that all moneys held in Account No.51-075 296-30 at the National Bank of Vanuatu and Account No.03-683 780-30 at the Westpac Bank be held in a Trust Account. I further order that the signatories to the Trust Account shall be:

- (1) Mrs Rita B. Naviti,
- (2) Mrs Hancy Mokororoe, and
- (3) Mr Ernest Meltewomu.

DATED AT LUGANVILLE, this 21st DAY of APRIL, 1999

Sealed: 4th May, 1999

BY THE COURT


.....
OLIVER A. SAKSAK
Judge

