

IN THE SUPREME COURT OF SEYCHELLES

EXPARTE: TANYA, JEANNE ANDRE

EXECUTRIX OF THE ESTATE

OF THE LATE ANTOINE JOURDAN ANDRE **PETITIONER**

Civil Side No 193 of 2009

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Miss Micock for the Petitioner

ORDER

B. Renaud J

The Petitioner Ms. Tanya Jeanne Andre of Roche Caiman, Maher, Seychelles, who is the Executrix of the estate of the late Antoine Jourdan Andre has petitioned this Court praying that she be granted permission to sell the property at a price not less than SR550,00.00.

The late Antoine Jourdan Andre ("the deceased") died testate on 14th January 2006 and the Petitioner was confirmed as Executrix of the deceased's last Will dated November 2005, registered and transcribed in Vol. B34 No. 1352.

According to the Petitioner, the estate of the deceased comprises, *inter alia*, of land Title V3068 situated at Mont Buxton, Mahe, consisting of an aggregate area of 486 square metres ("the property").

The Will of the deceased bequeathed the property to the following persons:

- (i) Tanya Jeanne Andre;

- (ii) Maureen Nibourette;
- (iii) Samia Andre;
- (iv) Junia Andre (a minor);
- (v) Dania Andre (a minor)

The Petitioner has been offered the price of SR550,000.00 for the property and all the heirs of majority age have consented to sell the property at that price.

According to the Petitioner the sale of the property is necessary to fund the education of the children above named.

The Attorney General as *Minister Publique* was alerted by being served with a copy of the Petition and it acted with due diligence to protect the interest of the minors herein. The concerns raised by the Learned Counsel representing of the Attorney General were duly attended to, to the satisfaction of the Attorney General as *Minister Publique*.

A social situation report was also sought and obtained from the Director of Social Services. In that report dated 25th March, 2008 the Social Services Committee is of the opinion that "*selling the property is the best option as all the children will benefit from their shares*".

Up-to-date Valuation Reports of the property in issue were obtained indicating that the value of the property was set at **SR715,000.00** to **SR735,000.00** as at April 2010.

ORDERS

I have given careful consideration of the Petition and the circumstances connected therewith and I am satisfied that it is in the best interest of the minor children, namely Junia Andre and Dania Andre that the property in issue, namely V3068 be sold; that it should be

sold at a price of not less than Seychelles Rupees seven hundred and thirty-five thousand **(SR735,000.00)** and, that the shares of the said two minor children be invested in a saving's scheme to be approved by this Court.

I order accordingly.

A copy of this order is to be served on the Registrar-General.

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B. RENAUD

JUDGE

Dated this 29th day of October 2010