

IN THE SUPREME COURT OF SEYCHELLES

Civil Side: XP 139/2014

[2014] SCSC 351

In the matter of

**EX PARTE:
DAVID PIERRE**

Heard: 25 September 2014

Counsel: Mr. J. Renaud for Applicant

Delivered: 25 September 2014

ORDER

D. Karunakaran, Acting Chief Justice

[1] This is an application filed under Article 1026 of the Civil Code of Seychelles for the appointment of executor. On the strength of the affidavits and other relevant documents adduced by the Applicant I am satisfied of the following facts;-

- (i) that one Samuel, Anderson Accouche died intestate in Seychelles on the 6th of December 1993, hereinafter called the “deceased”;
- (ii) the deceased has left only one legal heir to his estate namely, his son Alf Samson Accouche;

- (iii) the said deceased has left half share in immovable property at Les Mamelles, Mahe, Seychelles, surveyed as parcel No. V3485;
 - (iv) the only legal heir to the estate of the deceased has consented to the appointment of the Applicant namely, David Pierre of La Louise as executor to the estate of the deceased;
 - (v) that the Applicant is not subject to any legal incapacity to act as the executor of the estate; and
 - (vi) I am also satisfied that the Applicant is conversant with the functions and powers of an executor and prepared to abide by them.
- [2] In the circumstances, I find it just and necessary that the Applicant should be appointed as executor to the estate of the deceased.
- [3] WHEREFORE I hereby appoint Mr. David Pierre of La Louise as executor to the estate of the late Samuel Anderson Accouche, who died in Seychelles on the 6th of December 1993.
- [4] The application is granted accordingly.

Signed, dated and delivered at Ile du Port on 25 September 2014

D Karunakaran
Acting Chief Justice