

**IN THE SUPREME COURT OF SEYCHELLES**

**Civil Side: XP 176/2018**

[2018] SCSC 1137

---

**In the matter of**

**MARGARET ALEXIA VEL & ORS**

---

Heard: 14 December 2018  
Counsel: Ms. Lucy Pool for the Petitioner  
Delivered: 17 December 2018

---

**ORDER**

---

**B ADELINE, MASTER**

- [1] This is a joint application, by Petition, for the appointment of the Petitioners, Margaret Alexia Vel and Maltide Monica Vel, both of Anse Boileau, Mahe as joint executrix to the succession of the late Lucie Paulette Vel (nee Antat). The application is made by virtue of Article 1026 of the Civil Code of Seychelles Act, Cap 33, and is supported by a joint affidavit sworn by the Petitioners as well as other relevant documents as required by Practice Direction No. 1 of 1989 attached thereto.
- [2] I have carefully perused the affidavit and considered all the evidence. I am satisfied, that as per her Certificate of Death pertaining to Register No. 234 of 2017C, exhibit P1, Lucie Paulette Vel nee Antat (hereafter referred to as (“the deceased”)), died intestate on the 14<sup>th</sup>

of May 2017 at Anse Boileau, Mahe, Seychelles. Her husband, Barlo Eugene Vel predeceased the deceased. His Certificate of Death tendered and marked as exhibit P2.

[3] I am also satisfied, that the deceased is survived by her heirs who are;-

- (i) Margaret Alexia Vel born on the 12<sup>th</sup> of January 1969 (the 1<sup>st</sup> Petitioner),
- (ii) Maltilde Monica Vel born on the 10<sup>th</sup> of May 1965 (the 2<sup>nd</sup> Petitioner),
- (iii) Maryse Patricia D'Offay nee Vel born on the 29<sup>th</sup> of April 1963, and
- (iv) Paul Charlie Vel born on the 10<sup>th</sup> of May 1958. The heirs' Certificate of Birth produced and marked as exhibit P2, P3, P4 and P5 respectively

[4] I am further satisfied, that the other two heirs named in paragraph [3] above, besides the 1<sup>st</sup> and 2<sup>nd</sup> Petitioners, have both consented to the appointment of the 1<sup>st</sup> and 2<sup>nd</sup> Petitioners as joint executrix to the succession of the deceased. Their joint written consent produced and marked as exhibit P6.

[5] I am also satisfied, that at the time of her death, the deceased owned immovable property in Seychelles as a co-owner of  $\frac{1}{3}$  in a parcel of land registered as title C628 proved by way of a Certificate of Official Search issued under the Land Registration Act, tendered and marked as exhibit P7.

[6] I am further satisfied, that both of the Petitioners have capacity to be appointed as joint executrix to the succession of the deceased and that they are able and willing to be so appointed and to carry out the duties of executrix as laid down by law, more particularly, under Article 1027 of the Civil Code of Seychelles Act.

[7] I therefore grant the Petition, and accordingly, I hereby appoint the Petitioners ***Margaret Alexia Vel*** and ***Maltilde Monica Vel*** as joint executrix to the succession of the deceased, Lucie Paulette Vel nee Antat.

Signed, dated and delivered at Ile du Port on 17 December 2018



**BADELINÉ**  
**MASTER**