

SUPREME COURT OF SEYCHELLES

Reportable

XP02/2024

In the exparte of matter of:

EXPARTE F [REDACTED] J [REDACTED] PETITIONER

**Neutral Citation:** Ex- Parte F [REDACTED] J [REDACTED] (XP02/2024) (15 March 2024)

**Before:** G. Dodin Judge

**Summary:** Application for declaration to be in a qualifying relationship

**Heard:** 15<sup>th</sup> March 2024

**Delivered:** 15<sup>th</sup> March 2024

**ORDER**

The petitioner is declared to have been in a qualified relationship with A [REDACTED] E [REDACTED], agreeably with Article 761 (1) of the Civil Code of Seychelles and may proceed with an application pursuant to Article 761 (2) read with Article 745 and 748 of the Civil Code of Seychelles Act 2020.

**DODIN J**

- [1] F [REDACTED] J [REDACTED] of [REDACTED] Praslin, currently unemployed aged [REDACTED] years old, testified that she was in a relationship with one A [REDACTED] E [REDACTED] but we've never married. They had two children together and they were together for about 40 years until his death in [REDACTED] 2022. The deceased never declared the children either.
- [2] The Petitioner and the Deceased purchased jointly a property titled [REDACTED] at [REDACTED] [REDACTED] Praslin. The death certificate and the certificate of official search for parcel [REDACTED] was admitted as Exhibits.
- [3] The Petitioner moves the Court to declare that she was in a qualifying relationship with the deceased [REDACTED]

[4] The Petitioner's witness W [REDACTED] E [REDACTED] testified in support of the petition. She maintained that she is the brother of late A [REDACTED] E [REDACTED] who was in a relationship with the Petitioner for the last 48 years until his death in 2022. They have two sons together.

[5] Learned Counsel moved the Court under Article 761 (1) and (2) of the Civil Code to declare Petitioner to be in a qualifying relationship with the deceased.

[6] Having heard the evidence and studied the documents exhibited, I make the following order:

- i) I declare that the Petitioner was in a qualifying relationship with late A [REDACTED] E [REDACTED] deceased as provided by Article 761 (1) of the Civil Code of Seychelles Act and is certified to apply to be appointed executor for the distribution of the assets of the deceased pursuant to Article 761 (2) of the Code read with Articles 745 to 787 of the Code.

Signed, dated and delivered at Ile du Port on the 15<sup>th</sup> March 2024.



Dodin J

