



W I L L J I N I

**DISTRIBUTION OF
PROPERTY OF A INTESTATE
CHRISTIAN AS PER INDIAN
SUCCESSION LAW**

INDIAN SUCCESSION LAW

When a Christian person dies without a Will, his/her property will be distributed as per the rules mentioned in the Indian Succession Law.

GENERAL RULES IF NO WILL..

- If a deceased person has left behind widow and children both then $\frac{1}{3}$ rd of his property would be simply given to his widow and rest $\frac{2}{3}$ rd would be distributed equally among children.
- If no children but father/mother are alive, then property would be given $\frac{1}{2}$ to widow and $\frac{1}{2}$ to parents.
- If no parents are alive too then the whole estate will go directly to the widow.
- If none of the above are alive then the property would go to the nearest degree of kin to him.
- If there are no heirs mentioned above then the estate will go to the government.
- The rights of a widower are same as above.

RULES OF DISTRIBUTION WHERE THERE ARE LINEAL DESCENDANTS..

- If the deceased has left his widow, then after deducting the share of the widow, the distribution of property is as under:
 - If there are surviving children and no other descendants, the property would be divided equally among all children.
 - If there are no surviving children but surviving grandchildren then the property would be divided equally among all grand children.
 - Where there are only great grand children or any other lineal descendants then the property would go to the nearest in degree to the deceased person.
 - If there are surviving children and grand children too then each branch becomes important and each branch of lineal descendants takes equal shares in the property.

RULES OF DISTRIBUTION WHERE THERE ARE NO LINEAL DESCENDANTS..

- If the deceased has left behind no lineal descendants but father/mother/brother/sister then father has the highest priority in the property distribution after the share of a widow, if any.
- If there is no father but mother/brother/sister then they are given the share equally.
- If father is dead and mother is alive and if brother/sister or children of any brother/ sister who had died during the intestate's lifetime, then the property would be given equally to mother and each living brother/sister whereas living children of deceased brother and sister shall be entitled to the share of their deceased parents in equal proportion.
- If there are no lineal descendants, no parents, no siblings then the property will be divided equally among the nearest kindred to the intestate.

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