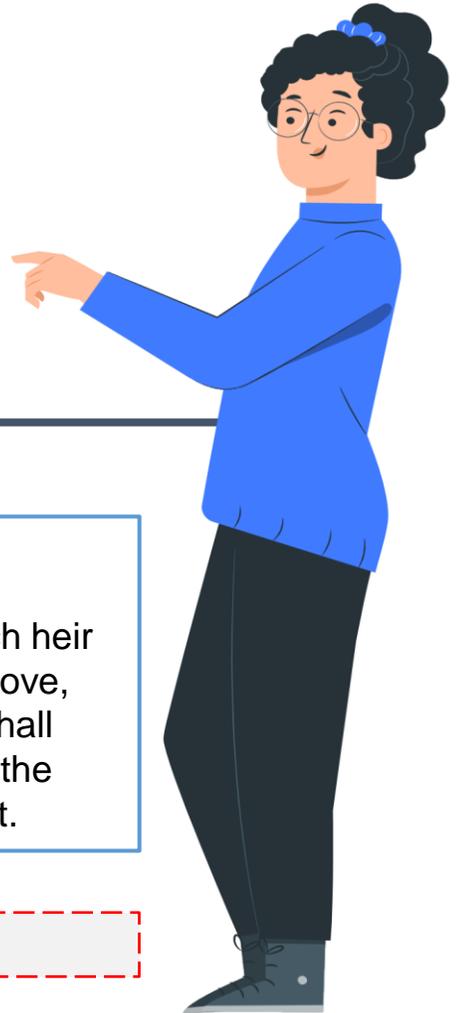
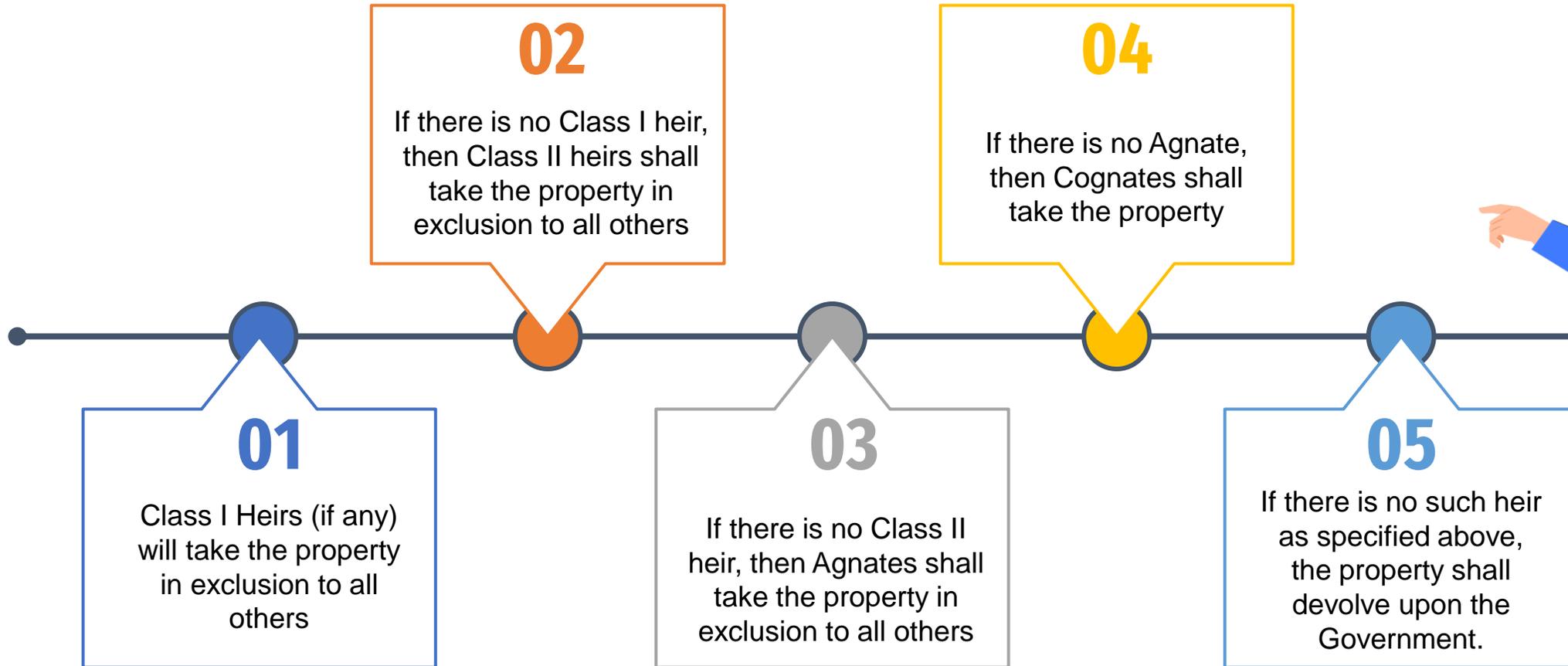


Rules for Intestate Succession for Male – Part 1

SUCCESSION PLANNING SERIES #04

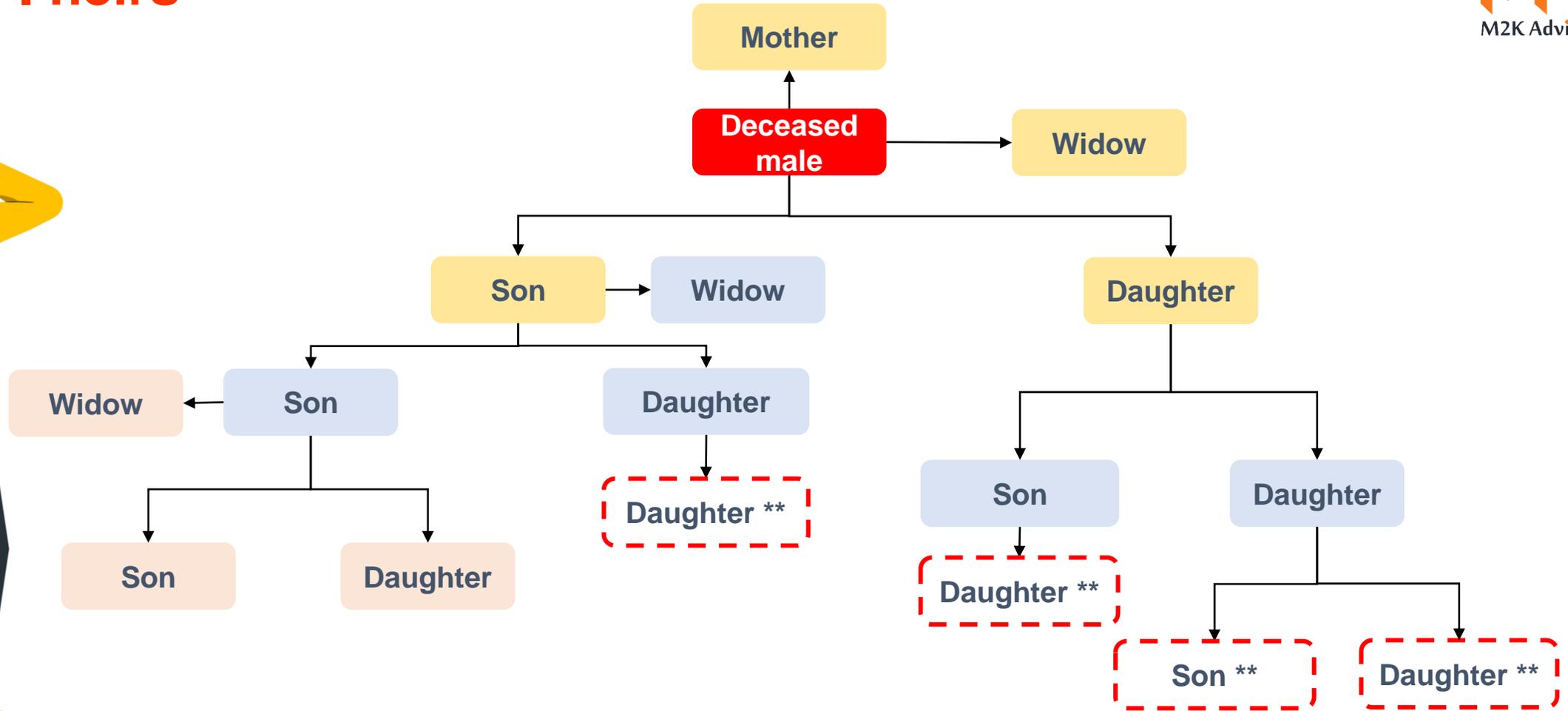
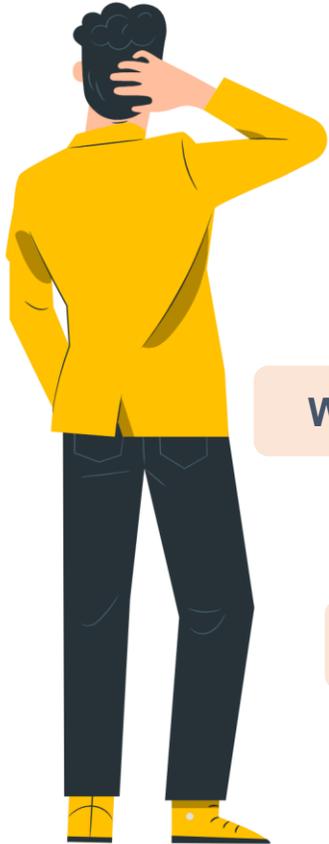


Order of succession for a Hindu - Male



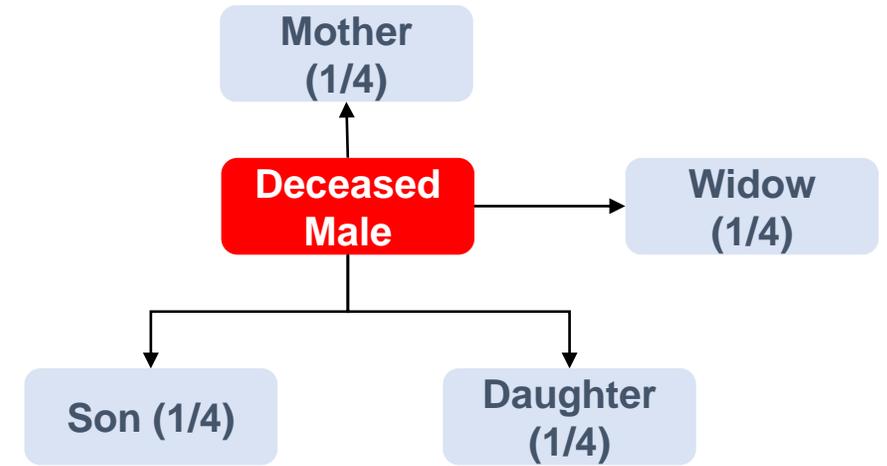
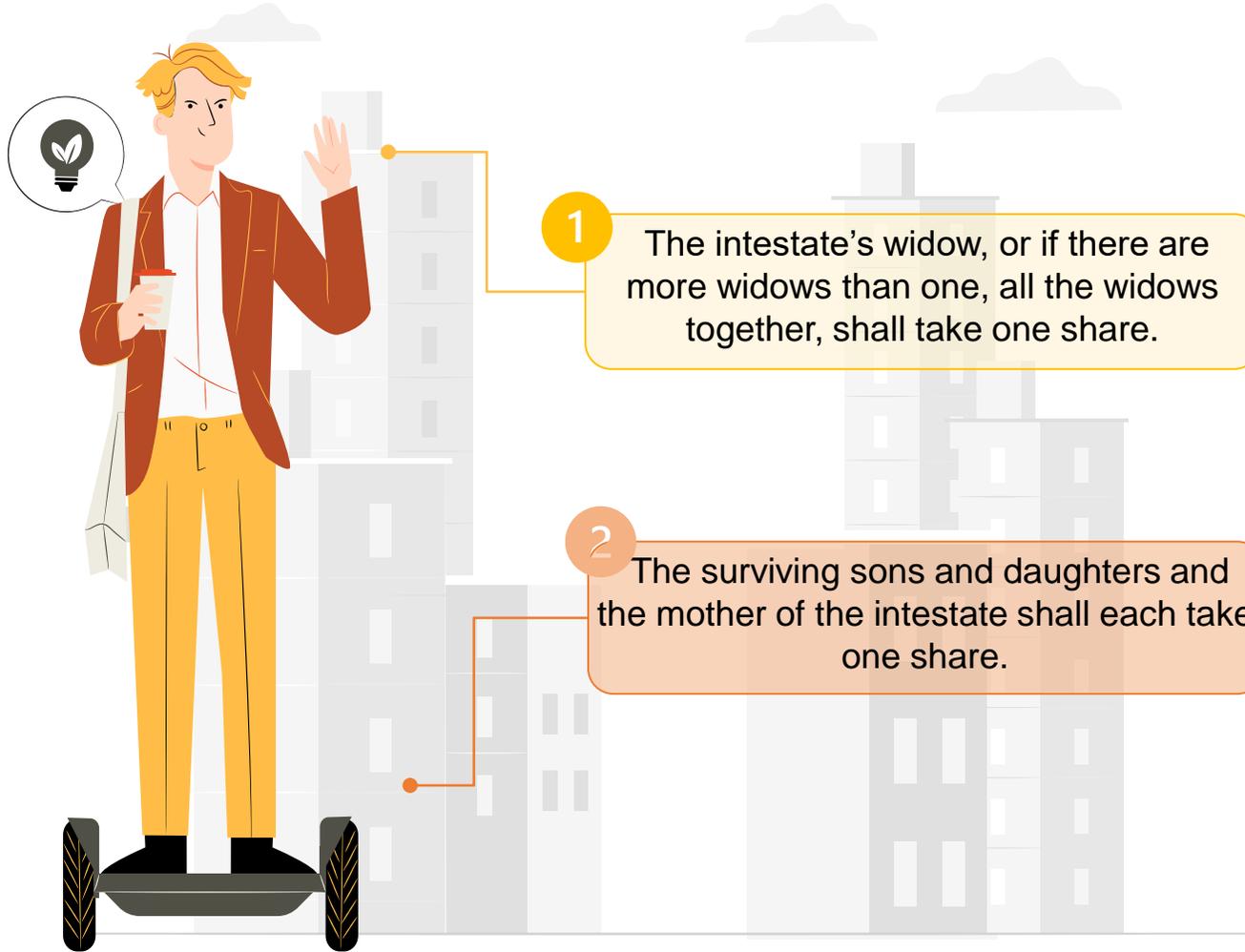
The distribution within each class shall take place according to the rules mentioned against each class.

Class I heirs



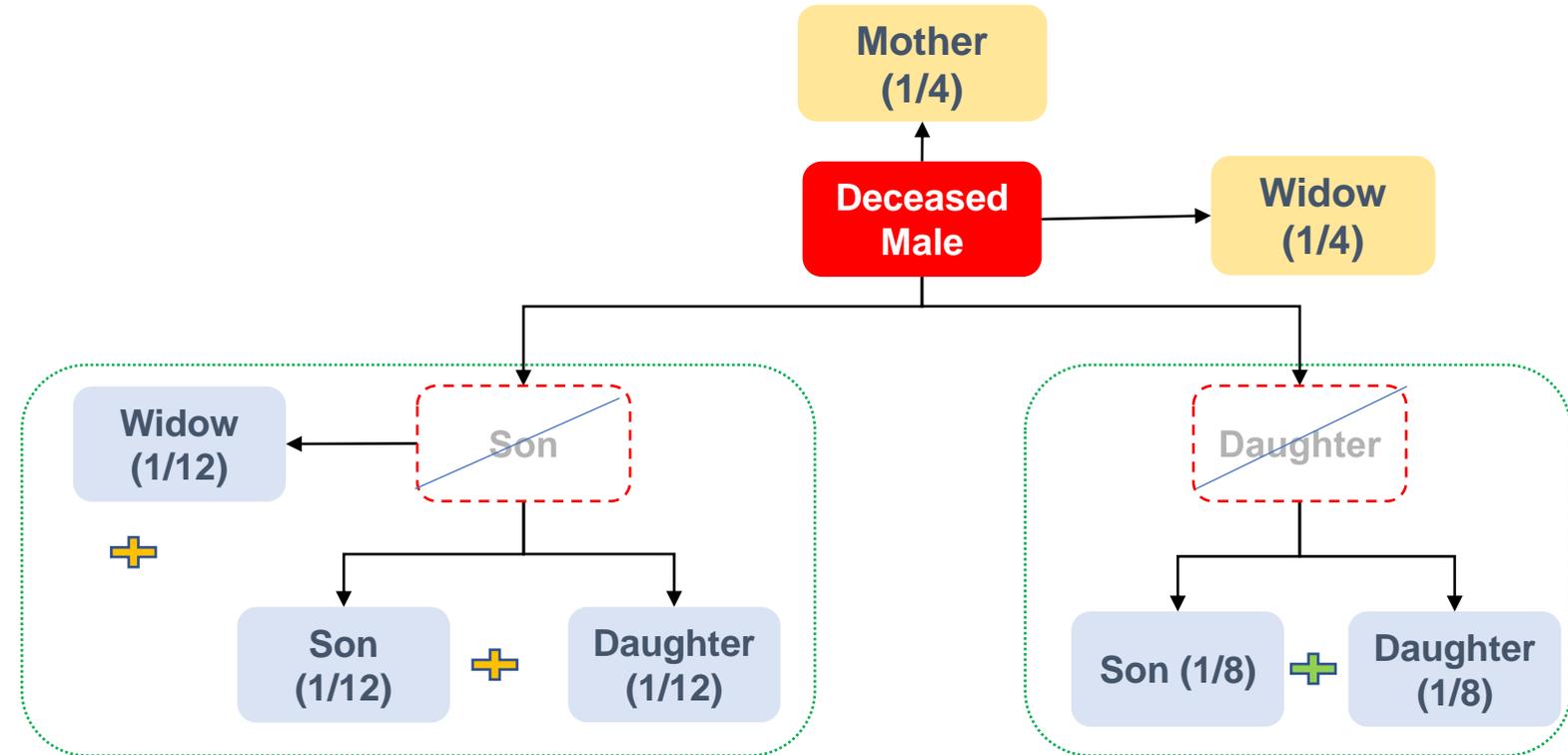
****** Prior to an amendment in 2005, the specified heirs were present only in Class II list. However, in 2005, they were introduced in Class I heirs list, but were not removed from Class II list. A representation was made by the Law Commission of India to rectify this error by deleting the said heirs from Class II list but there is no update yet.

Rules for distribution among Class I heirs (1/3)



Rules for distribution among Class I heirs (2/3)

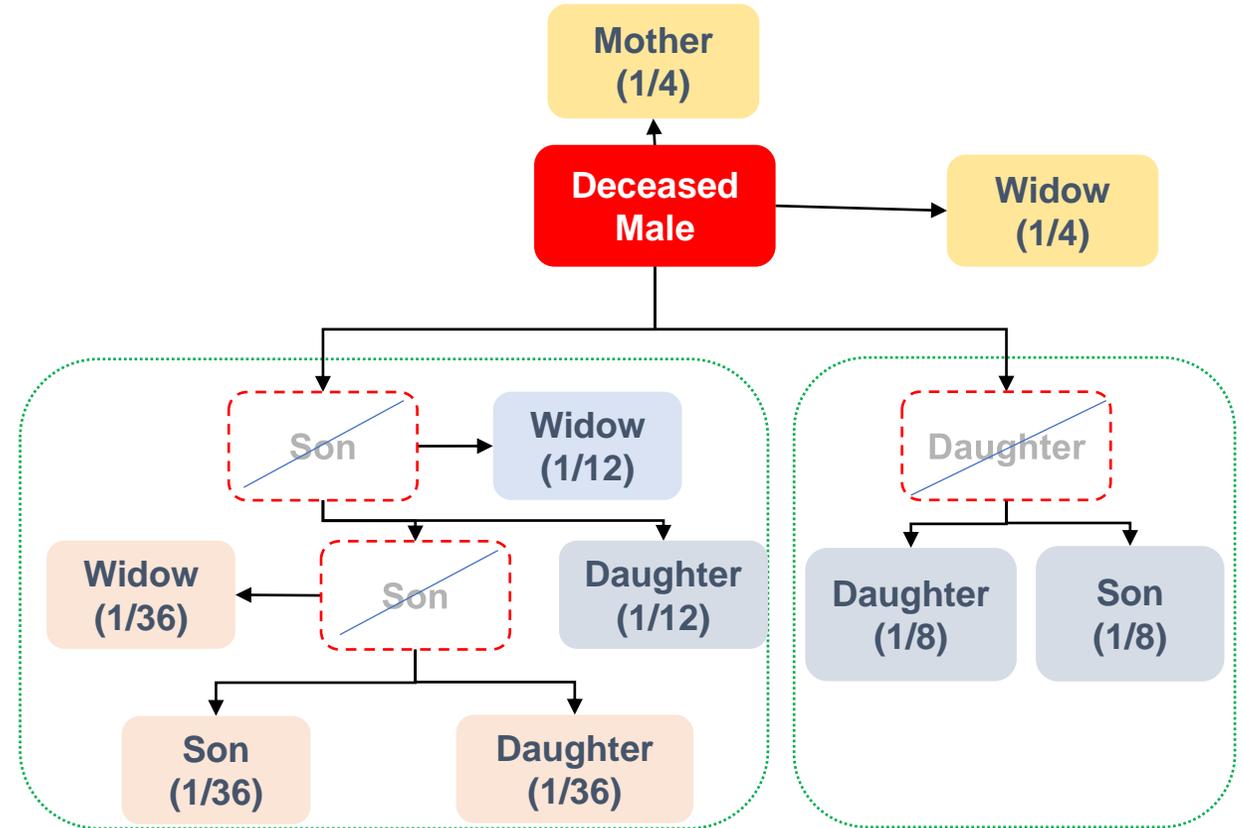
- 3 The heirs in the branch of each pre-deceased son or each pre-deceased daughter of the intestate **shall take between them one share.** In other words, the sub-family / sub-branch would enjoy one share (overall) among them.



Heir is pre-deceased (i.e., to have died before the death of the concerned male) - the distribution will be made to their heirs.

Rules for distribution among Class I heirs (3/3)

- 4 The distribution of the share referred in Rule 3:
- i. Among the heirs in the branch of the pre-deceased son shall be so made that his widow (or widows together) and the surviving sons and daughters get equal portions; and the branch of his pre-deceased sons gets the same portion.
 - ii. Among the heirs in the branch of the pre-deceased daughter shall be so made that the surviving sons and daughters get equal portions.

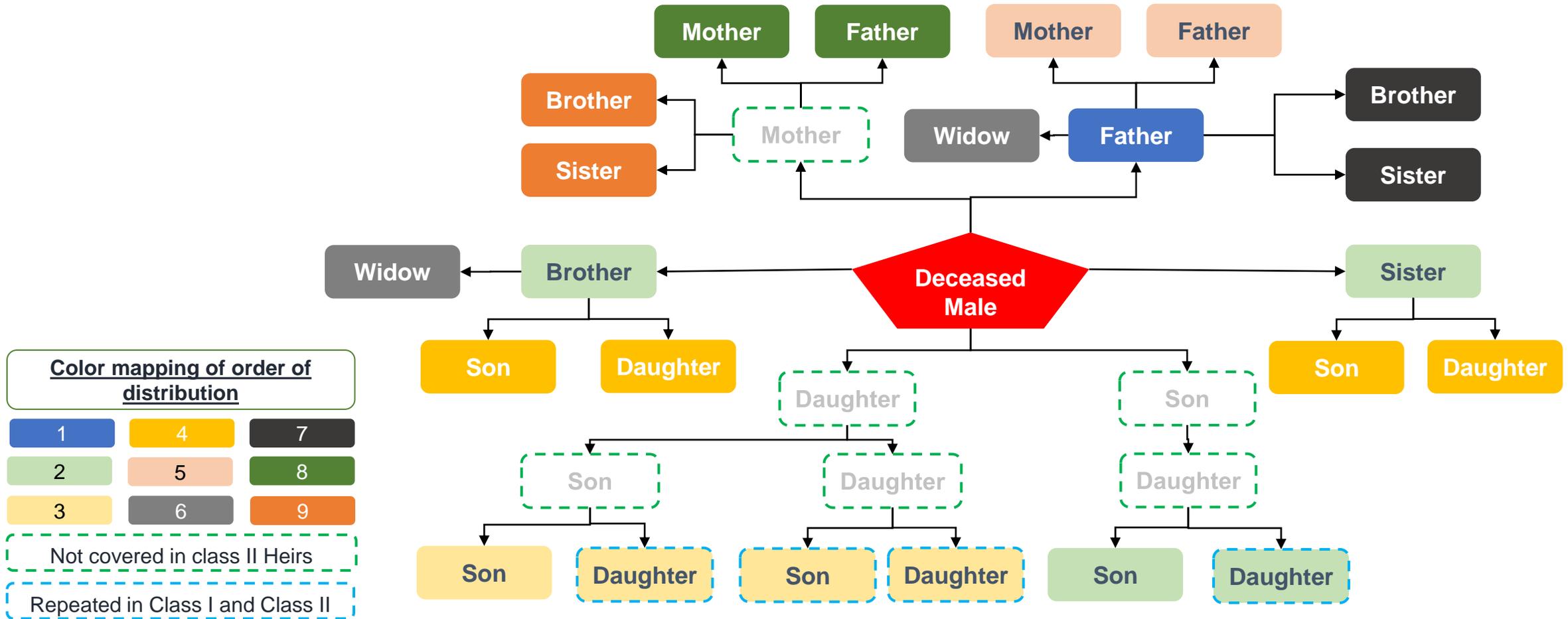


How does the distribution take place according to the Rule to daughter of the predeceased daughter of the predeceased son or the daughter of the predeceased son of predeceased daughter etc. (i.e., the heirs that were added to Class I list in 2005)?

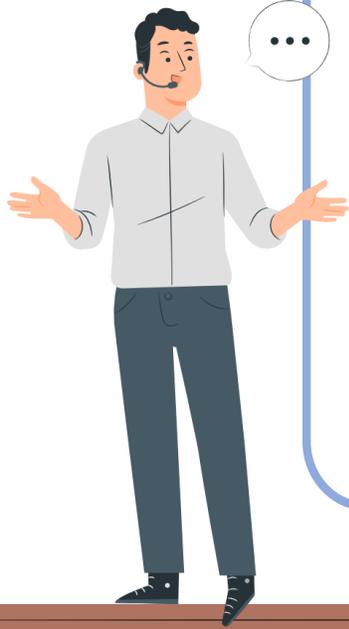
 Heir is pre-deceased (i.e., to have died before the death of the concerned male). The distribution will be made to their heirs.

Class II heirs and its rules for distribution

Rule: Under Class II, those in first entry (i.e., father etc.) are preferred to those in second entry; those in second entry shall be preferred to those in third entry and so on. In case there are more than one heir in one entry, then the property shall be divided between those heirs equally.



1



Q1. Whether a widow, who subsequently remarries, would be eligible to receive a share in the property of the deceased husband ?

Ans: Yes. The widow would still be eligible to receive her share in the succession even if she subsequently remarries.

2

Q2. Whether step-brother or sister of the heirs will be eligible to receive share in property of deceased relative?

Ans: Yes. However, brother or sister by uterine blood (when they are descended from a common mother but by different husbands) are not included.

3

Q3. A Hindu male dies intestate and leaves behind his 2 brothers, 3 sisters and his mother's parents. How will the distribution take place in such a case ?

Ans: The said case would be governed by Class II distribution rules since none of the Class I heirs are alive. Each of his siblings would get a one-fifth share to the exclusion of his maternal grandparents.



Our Previous Alerts

Please find below the list of completed alerts from the series. In case you have missed the previous alerts, click on the hyperlink for the completed alerts to refer the same.



-● [#1 Introduction to Succession Planning](#)
-● [#2 Types of Succession Planning](#)
-● [#3 An Introduction to Hindu Succession Act, 1956](#)

Please click on the link to subscribe to our alerts – [M2K Alert Subscription](#)

Got more
questions?

*Drop in your queries below and we'll try
covering them in the upcoming series*

[Enter your questions here](#)



knowledge@m2k.co.in



M2K Advisors

THANK YOU

Chennai - India

M2K Advisors LLP

30/64, 7th Floor, Briley One,
Ethiraj Salai, Egmore,
Chennai - 600008
Tamil Nadu

Hyderabad - India

M2K Advisors LLP

Manjeera Trinity Corporate
JNTU Road, Plot No S2 ,
Telangana- 500072
Hyderabad

Singapore

M2K Advisors Pte Ltd

The Octagon,
105 Cecil Street, #07-02
Singapore 069534

USA

M2K Sai Advisors Inc

1 AUER CT,
2nd Floor, East
Brunswick
New Jersey - 08816

Reach us at:

knowledge@m2k.co.in



This deck is intended for general guidance only and hence should not be considered as an advice or opinion. We do not accept any responsibility for loss occasioned to any person acting or refraining from action as a result of any material in this deck. On any specific matter, reference should be made to the appropriate advisor.