

## How Is The Wealth Of The Dead Distributed According To Shariah?=**Taqseem-E-Meeras (تقسيم ميراث)**

Note: To use this table, the reader should first ascertain whether the deceased left a wife or husband, and if she or he survived, should look under the appropriate heading. Only in default of either should search be made under "sons and daughters", "father and mother" and the rest, and then in the order given in the first margin. In each instance it is supposed that there are no nearer relations than those named.

If a person dies leaving	Division of Real and Personal Property
<b>WIFE:</b>	
Wife and no relations	1/4 to wife, 3/4 to the Bait-ul-mal( 1)
Wife and son (sons)	1/8 to wife, rest to son (sons equally)
Wife, son and daughter	1/8 to wife, 7/12 to son, 7/24 to daughter (2)
Wife, two sons and two daughters	1/8 to wife, 7/24 to each son and 7/48 to each daughter. (2)
Wife and one daughter	1/8 to wife, 1/2 to daughter and 3/8 to Bait-ul-mal.
Wife and daughters	1/8 to wife, 2/3 to daughters and 5/24 to Bait-ul mal
Wife, daughter and one son's son (h.l.s.)	1/8 to wife, 1/2 to daughter, rest to son's son
Wife, daughters and one son's son (h.l.s.)	1/8 to wife, 2/3 to daughters equally, rest to son's son
Wife, daughter, one son's son and one son's daughter	1/8 to wife, 1/3 to daughter, 1/4 to son's son and 1/8 to son's daughter. (3)
Wife, daughter and son's daughters	1/8 to wife, 1/2 to daughter, 1/6 to son's daughters equally and rest to the Bait-ul-mal.
Wife, daughters and one son's daughter	1/8 to wife, 2/3 to daughters equally and rest to Bait-ul-mal
Wife, daughter and three full brothers	1/8 to wife, 1/2 to daughters, 1/8 to each brother.
Wife, daughters and two paternal uncles	1/8 to wife, 2/3 to daughters equally and 5/48 to each uncle.
Wife, daughters and four true grandmothers	1/8 to wife, 2/3 to daughters equally and 1/6 to the grandmothers equally and the rest to the Bait-ul-mal..
Wife, son and father (h.h.s.)	1/8 to wife, 1/4 to father, rest to son.
Wife, daughter and mother	1/8 to wife, 1/6 to mother and 1/2 to daughter. Rest to Bait-ul-mal.
Wife, daughters, father and mother	3/27 to wife, 4/27 each to father and mother, 16/27 to daughters (4)
Wife, father and mother	1/4 to wife, 1/2 to father and 1/4 to mother (5)
Wife, four full brothers and two full sisters	1/4 to wife, 6/40 to each brother and 3/40 to each sister. (6)

Wife, four true grandmothers and two paternal uncles	$\frac{1}{4}$ to wife, $\frac{1}{24}$ to each grandmother and $\frac{7}{24}$ to each uncle.
Wife, mother and true grandmother	$\frac{1}{4}$ to wife, $\frac{1}{3}$ to mother and the residue $\frac{5}{12}$ to true grandmother.
Wife, mother, full sister, uterine brother and sister, consanguine brother and consanguine sister	$\frac{3}{15}$ to wife, $\frac{2}{15}$ to mother, $\frac{6}{15}$ to full sister and $\frac{4}{15}$ equally between the uterine brother and uterine sister. The consanguine brother and consanguine sister get no shares. (7)
Wife, mother, two sons	$\frac{1}{8}$ to wife, $\frac{1}{6}$ to mother and residue $\frac{34}{48}$ equally to sons
Wife, daughter, two paternal uncles	$\frac{1}{8}$ to wife, $\frac{1}{2}$ to daughter and the residue $\frac{6}{16}$ to the uncles equally.
Wife, uterine sister, four sons of brother, son of uncle	$\frac{1}{8}$ to wife, $\frac{1}{6}$ to uterine sister and the residue $\frac{28}{48}$ to the sons of brother equally. Son of uncle gets nothing.
Wife, mother, sister	$\frac{3}{13}$ to wife, $\frac{4}{13}$ to mother and $\frac{6}{13}$ to sister. (7)
Wife, mother, 2 sisters	$\frac{3}{13}$ share to wife, $\frac{2}{13}$ share to mother and $\frac{8}{13}$ shares to sisters equally. (7)
Wife, two daughters, fathers mother	$\frac{1}{8}$ to wife, $\frac{2}{3}$ equally to daughters, $\frac{1}{6}$ to mother and the residue $\frac{1}{24}$ to Bait-ul mal.

- (1) Re Mutchilim [1960] M.L.J. 25.
- (2) The daughters in such case being residuaries with the son.
- (3) The son's daughters being residuary with the son's son.
- (4) An example of the doctrine of aul or increase.
- (5) The mother gets  $\frac{1}{3}$  of  $\frac{3}{4}$  (that is after deducting the wife's share). This follows a decision of the Caliph Umar.
- (6) The brothers and the sisters are residuaries.
- (7) An example of aul.

If a person dies leaving	Division of Real and Personal Property
<b>HUSBAND:</b>	
Husband and no relation	$\frac{1}{2}$ to husband and balance to Bait-ul-mal
Husband and son (sons)	$\frac{1}{4}$ to husband, rest to son (sons equally).
Husband, son and daughter	$\frac{1}{4}$ to husband, $\frac{1}{2}$ to son, $\frac{1}{4}$ to daughter.
Husband, two sons and two daughters	$\frac{1}{4}$ to husband, $\frac{1}{4}$ to each son, $\frac{1}{8}$ to each daughter.
Husband and one daughter	$\frac{1}{4}$ to husband, $\frac{1}{2}$ to daughter and rest to State.
Husband and daughters	$\frac{1}{4}$ to husband, $\frac{2}{3}$ to the daughters and rest to State.
Husband, daughter and one son's son (h.l.s.)	$\frac{1}{4}$ to husband, $\frac{1}{2}$ to daughter and rest to son's son.
Husband, daughters and one son's son	$\frac{1}{4}$ to husband, $\frac{2}{3}$ to daughters equally, $\frac{1}{12}$ to son's son (h.l.s.)
Husband and father	$\frac{1}{2}$ to husband and $\frac{1}{2}$ to father.
Husband, daughter, one son's son and one son's daughter	$\frac{1}{4}$ to husband, $\frac{1}{2}$ to daughter, $\frac{2}{12}$ to son's son and $\frac{1}{12}$ to son's daughter. (8)

Husband, daughter and three full brothers	$\frac{1}{4}$ to husband, $\frac{1}{2}$ to daughter, rest to brothers equally.
Husband, daughters and two paternal uncles	$\frac{1}{4}$ to husband, $\frac{2}{3}$ to daughters equally and $\frac{1}{12}$ to uncles equally.
Husband, daughter and true grandmothers	$\frac{1}{4}$ to husband, $\frac{1}{2}$ to daughter, $\frac{1}{6}$ to grandmothers equally. Rest to State.
Husband, son and father (h.l.s.)	$\frac{1}{4}$ to husband, $\frac{1}{6}$ to father, rest to son.
Husband, daughter and father	$\frac{1}{4}$ to husband, $\frac{1}{2}$ to daughters, rest to father.
Husband, daughters and mother	$\frac{3}{13}$ to husband, $\frac{2}{13}$ to mother, $\frac{8}{13}$ to daughters equally. (9)
Husband, daughters, father and mother	$\frac{3}{15}$ to husband, $\frac{8}{15}$ to daughters and $\frac{2}{15}$ each to father and mother. (10)
Husband, daughter, mother, father, son's son and son's daughter	$\frac{6}{13}$ to father, $\frac{3}{13}$ to husband, $\frac{2}{13}$ to mother and $\frac{2}{13}$ to father. The son's son and son's daughter are excluded. (10)
Husband, daughter and paternal uncle	$\frac{1}{4}$ to husband, $\frac{1}{2}$ to daughter and $\frac{1}{4}$ to paternal uncle.
Husband, daughter, son's daughter and two full sisters	$\frac{1}{4}$ to husband, $\frac{1}{2}$ to daughter, $\frac{1}{6}$ to son's daughter and $\frac{1}{12}$ share equally to sisters. (11)
Husband, daughter, son's daughter, one full sister and one consanguine sister	$\frac{1}{4}$ to husband, $\frac{1}{2}$ to daughter, $\frac{1}{6}$ to son's daughter and $\frac{1}{12}$ to full sister. Consanguine sister gets nothing.. (11)
Husband, daughter, son's daughter, two uterine sisters	$\frac{1}{4}$ to husband, $\frac{1}{2}$ to daughter, $\frac{1}{6}$ to son's daughter. Residue to Bait-ul-mal.
Husband, daughter, father, mother, son's son and son's daughter	$\frac{3}{13}$ to husband, $\frac{6}{13}$ to daughter, $\frac{2}{13}$ each to father and mother. (10)
Husband, father and mother	$\frac{1}{2}$ to husband, $\frac{1}{6}$ to mother, rest to father. (12)
Husband, father, mother and two daughters	$\frac{3}{15}$ share to husband, $\frac{2}{15}$ to father, $\frac{2}{15}$ to mother and $\frac{8}{15}$ to daughters equally. (10)
Husband, mother and three full sisters	$\frac{1}{2}$ to husband, $\frac{1}{6}$ to mother, $\frac{2}{3}$ to sisters equally.
Husband, mother, full sister, consanguine sister	$\frac{3}{8}$ to husband, $\frac{1}{8}$ to mother, $\frac{3}{8}$ to full sister, $\frac{1}{8}$ to consanguine sister. (10)
Husband, two full brothers and three full sisters	$\frac{1}{2}$ to husband, $\frac{2}{14}$ to each brother and $\frac{1}{14}$ to each sister.(13)
Husband, mother, full brother and two uterine sisters	$\frac{1}{2}$ share to husband, $\frac{1}{6}$ to mother and the balance of $\frac{1}{3}$ between the two uterine sisters and the full brother. (14)
Husband and daughters of two daughters	$\frac{1}{2}$ to husband and rest to Bait-ul-mal.
Husband, mother, sister and grandfather	Husband $\frac{3}{9}$ , mother $\frac{2}{9}$ sister $\frac{4}{27}$ , father's father $\frac{8}{27}$ . (15)
Husband, mother, grandfather, one consanguine brother, one or more uterine brothers.	Husband $\frac{1}{2}$ , mother $\frac{1}{6}$ , grandfather $\frac{1}{6}$ , consanguine brother $\frac{1}{6}$ , uterine brother excluded. (16)

- (8) The son's son and son's daughter are residuaries.
- (9) Example of aul or increase.
- (10) Examples of aul or increase
- (11) In these cases the daughter and son's daughter get their Quranic shares while the sister takes as residuary.
- (12) The mother gets  $\frac{1}{3}$  of  $\frac{1}{2}$  (that is after deducting the husband's share).
- (13) The brothers and sisters are residuaries.
- (14) This is the case of himariyya or musharaka. The full brother and the uterine sisters share the  $\frac{1}{3}$  share. See Fitzgerald Muhammadan Law p.135 and Nawawi Supra, p.250.
- (15) This is the case of Al-akdariya - see Tyabji Muhammadan Law (3rd Edn.) p.874 and Fitzgerald Muhammadan Law p.128 and Nawawi p.253 Supra, (p.22 supra)
- (16) This is the case of al-Malikia - see Fitzgerald p.128.

<b>If a person dies leaving</b>	<b>Division of Real and Personal Property</b>
<b>SONS AND DAUGHTERS:</b>	
One son and no other relations	All to son
One daughter	$\frac{1}{2}$ to daughter and rest to State.
Daughters	$\frac{2}{3}$ to daughters equally and rest to State
Sons and daughters	Equally between all sons and daughters, but so that the share of each son is double that of each daughter.
One son and son's son or son's daughters	All to son.
One son and father (or mother)	$\frac{1}{6}$ to father (or mother) rest to son.
One son, father and mother	$\frac{1}{6}$ to each father and mother, rest to son.
One daughter and son's son	$\frac{1}{2}$ to daughter, rest to son's son
One daughter, son's son and son's daughter	$\frac{1}{2}$ to daughter, $\frac{2}{6}$ to son's son and $\frac{1}{6}$ to son's daughter
Daughters and son's son	$\frac{2}{3}$ to daughters equally, rest to son's son
One daughter, one son's daughter, and one full brother	$\frac{1}{2}$ to daughter, $\frac{1}{6}$ to son's daughter, rest to full brother.
Daughters, one son's daughter and one full brother	$\frac{2}{3}$ to daughter and rest to full brother.
Daughters and son's daughters	$\frac{2}{3}$ to daughter and rest to Bait-ul-mal (son's daughters excluded unless there is a lineal male descendant of the same or lower degree).
Daughter and father	$\frac{1}{2}$ to daughter and $\frac{1}{2}$ to father ( $\frac{1}{6}$ as Quranic heir and $\frac{1}{3}$ as agnatic heir).
Daughters and father	$\frac{2}{3}$ to daughters equally and rest to father
Daughters, son's daughters and father	$\frac{2}{3}$ to daughter, rest to father. (17)
One daughter, father and mother	$\frac{1}{2}$ to daughter, $\frac{1}{6}$ to mother, rest to father
One daughter, mother, four full brothers	$\frac{1}{2}$ to daughter, $\frac{1}{6}$ to mother, $\frac{1}{12}$ to each brother.

One daughter and mother	1/2 to daughter, 1/4 to mother and rest to Bait-ul-mal.
Daughters and mother	2/3 to daughters equally, 1/5 to mother and rest to Bait-ul-mal.
Daughters, father, mother and son's son	2/3 to daughters equally, 1/6 each to father and mother, nothing to son's son there being no residue.
Daughters and four paternal uncles	2/3 to daughters equally, 1/12 to each uncle
Daughter (son's daughter) and full (consanguine) sister	1/2 to daughter (son's daughter) and 1/2 to full (consanguine) sister.
Daughters (son's daughters) and full (consanguine) sisters	2/3 to daughters (son's daughter), and 1/3 to full (consanguine) sister.
Daughters, four true grandmothers and six paternal uncles	2/3 to daughters equally, 1/6 to grandmothers equally (i.e. 1/24 each) and 1/36 to each uncle.
Two daughters, one consanguine sister, one brother's son	2/3 to two daughters and 1/3 to sister. Brother's son gets nothing
Two daughters, a son's daughter and a son's son	2/3 to daughters, 1/9 to son's daughter and 2/9 to son's son. (18)
Two daughters, a son's daughter and a son's son's son	2/3 to daughters, 1/9 to son's daughter and 2/9 to son's son. (18)
Two daughters of a son, daughter of son's son, son of son's son's son'	2/3 to daughters equally, 1/9 to daughter of son's son and 2/9 to son of son's son's son. (20)
Son's daughter, daughter's son and brother	1/2 share to son's daughter and 1/2 share to brother. Daughter's son gets nothing.
Son's sons and son's daughters (of same degree)	Equally between son's son and son's daughters but so that the share of each of the former is double of each of the latter. (19)
Son's daughters and son's son's son	2/3 to son's daughters, rest to great-grandsons equally
Son's daughter and son's son's daughter	1/2 to son's daughter and 1/6 to son's son's daughter and the rest to the Bait-ul-mal. (20)

(17) There is a doubt whether the son's daughters (who are excluded as Quranic heirs) are nevertheless entitled to take as residuaries together with the agnatic ascendant or collateral. See Fitzgerald Muhammadan Law, p.124.

(18) In all these cases, as there are two daughters the son's daughter cannot inherit as Quranic heir. She therefore takes as an agnatic heir and shares the residu with the lower son's son.

(19) The son's daughter is a residuary with an equal son's son.

(20) As there is a "nearer" daughter, the share of the son's son's daughter is 1/6 that is the remainder of the 2/3 share of daughters.

<b>If a person dies leaving</b>	<b>Division of Real and Personal Property</b>
<b>FATHER AND MOTHER:</b>	
Father and no other relations	All to father.
Father and mother	2/3 to father, 1/3 to mother

Father, full brothers and sisters	All to father.
Father, mother, three son's daughters	1/6 to father, 1/6 to mother and 2/3 to three son's daughters in equal Shares.
Father, mother, daughter, four son's daughters	1/6 to father, 1/6 to mother, 1/2 to the daughter and 1/6 to the son's daughters in equal shares.
Father, mother, two son's daughters and son's son's daughter	1/6 to father, 1/6 to mother and 2/3 to son's daughters in equal shares. The son's son's daughter is excluded by the two son's daughters.
Father, mother, son's daughter, son's son's daughter	1/6 to father, 1/6 to mother, 1/2 to son's daughter and 1/6 to son's son's daughter (the son's daughter and son's son's daughter share the Quaranic share of two or more daughters).
Mother and no other relations	1/3 to mother and rest to Bait-ul-mal.
Mother, and full brothers	1/6 to mother, rest to brothers equally.
Mother, full brother and uterine brother	1/3 to mother, 1/6 to uterine brother, rest to full brother.
Mother and full sisters	1/6 to mother, 2/3 to sisters equally and rest to Bait-ul-mal.
Mother, full sister, and consanguine brother and sister	1/6 to mother, 1/2 to full sister, rest to consanguine brother and sister but so that the former receives double the share of the latter.
Mother, full sisters, consanguine brother and sister	1/6 to mother, 2/3 to full sisters equally, rest as in preceding case.
Mother, two full sisters, a consanguine sister and a uterine sister (or brother)	1/6 to mother, 2/3 to equally among the sisters, and 1/6 to the uterine sister or brother (the consanguine sister is excluded by two full sisters).
Mother, consanguine sisters and uterine sister	1/6 to mother, 2/3 to consanguine sisters equally, 1/6 to uterine sister.
Mother and paternal uncles	1/3 to mother, 2/3 to paternal uncles equally.