

CASE SUMMARY

Amira Umaira Teng binti Abdullah v Wee Ku Wing & Ors

Court of Appeal affirms Muslim convert's right to inherit from non-Muslim father under the Distribution Act 1958

⚖️ Distribution Act 1958 (Act 300) • Small Estates (Distribution) Act 1955 (Act 98)

Facts

Teng Guan Chai, a non-Muslim, died intestate on 4 November 2020. His estate fell within the small-estates threshold then applicable (RM2 million or less). His wife, Wee Ku Wing, applied to the Land Administrator under the Small Estates (Distribution) Act 1955 for distribution of the estate. She listed herself and six of their seven children as beneficiaries, omitting the fourth child — Amira Umaira Teng binti Abdullah. Amira had converted to Islam in 2008.

The distribution hearing took place on 9 August 2023. The Land Administrator appointed Wee as administrator and transferred the deceased's property to her. Amira only learned of the hearing afterwards and filed an originating summons in the High Court to set aside the Distribution Order and Letters of Administration.

Legal Issue

Whether a child who has converted to Islam is barred from inheriting the estate of a non-Muslim parent under the Distribution Act 1958 (Act 300).

Held (High Court, 20 December 2025)

- The exclusion in section 2 of the Distribution Act 1958 applies to the **estate of a Muslim deceased**, not to the religion of the beneficiary.
- The definition of “child” in section 3 does not mention religion; a child is defined by legitimacy alone.
- The mother’s omission of Amira from the beneficiary list was a legal error. Parliament never intended to bar a child from inheriting based on religious status.
- The Distribution Order and Letters of Administration were set aside; the land was to be restored to the deceased’s name, and a fresh distribution hearing was ordered.

Held (Court of Appeal, 27 July 2026)

- The High Court’s decision was upheld unanimously by a three-member panel (Justices Supang Lian, Amarjeet Singh, and Shahnaz Sulaiman).
- The panel affirmed that the Distribution Act and the Small Estates (Distribution) Act do not prohibit a Muslim child from inheriting from a non-Muslim parent.
- The appellant (Wee Ku Wing) was ordered to pay RM30,000 in costs.

Key Point

The right to inherit under the Distribution Act 1958 depends on the religion of the deceased, not the religion of the child. A Muslim child is not disqualified by statute from inheriting the estate of a non-Muslim parent.

Practical Significance

The decision provides appellate-level authority that the statutory exclusion in section 2 of the Distribution Act 1958 is directed at the

deceased's faith, not the beneficiary's. For estate administrators, the case is a clear warning that all lawful beneficiaries must be listed in a distribution application, regardless of their religion. Deliberate omission can result in the entire order being set aside. For converts and their families, the judgment confirms that conversion to Islam does not sever inheritance rights under civil law.

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