

IL 308 Law of Property

UNIT – I

- a. General principles of Transfer of Property by Act of parties involves-
- b. Concept and meaning of property
- c. Kinds of Property – movable and immovable property
- d. Transferable Immovable Property- Persons Competent to transfer
- e. Operation of Transfer- Conditions restraining alienation and restrictions repugnant to the interest created
- f. Rule against perpetuity and exceptions
- g. Direction for accumulation
- h. Vested and Contingent interest.

UNIT – II

- a. Doctrine of Election-
- b. Transfer by Ostensible and co-owner
- c. Apportionment- Priority of rights
- d. Rent paid to holder under defective title
- e. Improvements made by bonfire holder
- f. Doctrine of Lis Pendens
- g. Fraudulent transfer and part performance.

UNIT – III

- a. Sale of immovable property:
- b. Rights and liabilities of seller and buyer before and after completion of sale- Difference between sale and contract for sale;
- c. Mortgages of Immovable property:
- d. Definition- Kinds of mortgages and their features-
- e. Rights and liabilities of mortgagor and mortgagee-
- f. Priority of securities- Marshalling and contribution-
- g. Charges
- h. Leases of immovable property:
- i. Definition- Scope- creation of lease- rights and liabilities of lesser and lessee- Determination and holding over;
- j. Exchange: Definition and mode-
- k. Actionable Claims;
- l. Gifts: Scope- meaning mode of transfer- universal gifts- onerous gifts.

UNIT –IV

Easement Act 1882:

- a. Definition, Nature, Kinds of Easements
- b. Imposition, Acquisition and Transfer of Easements
- c. Extinction, Suspension and Revival of Easements
- d. **Licences:**
- e. Definition and ground of licence,
- f. Licences-When Transferable,
- g. Difference between Easement and Licence

Suggested Readings:

- 1. Dr. Avtar Singh – The Transfer of Property Act
- 2. Subbarao – Transfer of Property
- 3. Shah – Principles of the Law of Property
- 4. Shukla – Transfer of Property Act
- 5. Menon – Property Law
- 6. Dr. G. P. Tripathi - Indian Easement Act, 1882
- 7. Indian Easement and License Act – Katiar