

Reg. No. :

Name :

Seventh Semester B.A. LL.B./B.Com. LL.B./B.B.A. LL.B (Five Year Integrated) Degree Examination, June 2022

Paper II — PROPERTY LAW

Time : 3 Hours

Max. Marks : 80

I. Explain any **five** of the following. Each question carries **2** marks. Answers should not exceed **50** words each.

- (a) Fixtures
- (b) Fulfilment of condition subsequent
- (c) Co-ownership
- (d) *Usufructuary* mortgage
- (e) Legal subrogation
- (f) Charge
- (g) Onerous gift

(5 × 2 = 10 Marks)

II. Explain any **four** of the following. Each question carries **4** marks. Answers should not exceed **120** words each.

- (a) Rule against inalienability
- (b) Distinction between vested and contingent interest
- (c) Doctrine of fraudulent transfer
- (d) Substituted security
- (e) 'Prescription' as a mode of acquisition of easements.

(4 × 4 = 16 Marks)

III. Answer any **four** of the following. Each question carries **6** marks.

- (a) 'A' who is expecting to succeed to the estate of 'B', sells B's property to 'C'. Later, 'A' succeeds to the estate of 'B'. Can 'C' claim the property?
- (b) 'P' transfers property to his wife; but, in case she should die in his life-time, transfer to 'Q' that which he had transferred to her. 'P' and his wife perish together, under circumstances which make it impossible to prove that she died before him. Decide whether 'Q' is entitled to the property.
- (c) 'A' executes a *usufructuary* mortgage in favour of 'Y' with a condition that if 'X' does not redeem within 10 years, the mortgage shall become a sale. Discuss the validity of the condition.
- (d) 'A', mortgaged his property to 'B'. 'A' then sold the property to 'C' and then agreed to sell it to 'B'. 'B' took possession but was evicted by 'C'. 'B' now sues on his mortgage. 'C' contends that the mortgage is extinguished by merger. Decide.
- (e) 'A' owes money to 'B', who transfers the debt to 'C'. 'B' then demands the debt from 'A', who, not having received notice of the transfer, as prescribed in section 131 of the Transfer of Property Act, pays 'B'. Decide whether the payment is valid and whether 'C' can sue A for the debt.

(4 × 6 = 24 Marks)

IV. Answer any **three** of the following. Each question carries **10** marks.

- (a) "The foundation of the doctrine of election is that a person taking the benefit of an instrument must also bear the burden". Discuss.
- (b) Explain the doctrine of '*Lis Pendens*' and state the essential conditions for application of section 52 of the Transfer of Property Act.
- (c) Define Sale. What are the rights and liabilities of the seller and the buyer before and after completion of sale? Explain.
- (d) Explain the characteristic features of an 'easement'. How is 'easement of necessity' different from quasi-easement'? What are the various modes of extinction of easements?

(3 × 10 = 30 Marks)