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(Pages : 2)

Reg. No.....

Name.....

FIVE YEAR LL.B. (HONOURS) DEGREE EXAMINATION, NOVEMBER 2023

Fifth Semester

FL 12—PROPERTY LAW

(Common to B.A., LL.B. (H), B.Com., LL.B. (H) and B.B.A., LL.B. (H))

(2020 Admissions—Regular/2018 and 2019 Admissions—Supplementary)

Time : Three Hours

Maximum : 75 Marks

Part A

Write short notes on any five of the following.

Each question carries 3 marks.

1. Constructive Notice.
2. Condition restraining alienation.
3. Doctrine of Part-performance.
4. Usufructuary mortgage.
5. Right of Foreclosure.
6. Easement of necessity.

(5 × 3 = 15 marks)

Part B

Answer any three of the following problems.

Each question carries 10 marks.

7. 'R' grants to 'S' the right to cut trees from his land for twelve years. The trees are not to be cut until they attain a growth of 12 feet. Does the grant require registration ? Decide in light of relevant statutory provisions and judicial decisions.
8. 'X' who is expecting to succeed to the estate of 'Y', sells Y's property to 'Z' Later, 'X' succeeds to the estate of 'Y' Can 'Z' claim the property ? Decide referring to statutory provisions and case laws.

Turn over

9. 'A' mortgaged his property to 'B' for a loan of Rupees Five Lakhs. The mortgage deed provided that if 'A' fails to repay the loan within two years, 'B' would have the right to take possession of the property and become the absolute owner. 'A' failed to repay the loan within the specified time, and 'B' took possession of the property. Can 'A' redeem the property after the expiration of the stipulated time? Discuss the right of redemption in this situation referring to statutory provisions and judicial decisions.
10. 'P' owes money to 'Q', who transfers the debt to 'R'. 'Q' then demands the debt from 'P', who, not having received notice of the transfer as prescribed in section 131 of the Transfer of Property Act, pays 'Q'. Decide whether the payment is valid and whether 'R' can sue 'P' for the debt.

(3 × 10 = 30 marks)

Part C

Answer any two of the following questions.

Each question carries 15 marks.

11. Discuss the key elements and requirements of the "rule against perpetuity", with the help of suitable illustrations and judicial decisions and analyze its impact on property transactions, particularly in the context of intergenerational transfers.
12. Explain the doctrine of *lis pendens* under the Transfer of Property Act, 1882. What are the conditions that must be satisfied for the application of the doctrine? How do these conditions impact the transferability of immovable property? What rights and protections, if any, are available to bona fide purchasers for value during the pendency of a suit?
13. Analyze the provisions of the Transfer of Property Act concerning 'lease' of immovable property. What is the difference between lease and licence? Discuss the rights and obligations of the lessor and lessee in a lease transaction and the circumstances under which a lease can be terminated.

(2 × 15 = 30 marks)