

FININ2MIN - TRANSFER OF PROPERTY ACT, 1882

Chapter II-F - Lis Pendens, Fraudulent Transfer and Part Performance

Chapter in 2 Minutes

Freeze litigation, creditor-protection and possession-based defences into a single transaction-risk analysis.

Provision map

- 52: Transfer pending suit - lis pendens
- 53: Fraudulent transfer
- 53A: Part performance

Transaction controls

- ☐ Classify interest and transaction
- ☐ Verify title, litigation and encumbrances
- ☐ Confirm capacity, authority and consent
- ☐ Apply State stamp and registration
- ☐ Reconcile consideration, tax and possession
- ☐ Preserve closing and remedy evidence

Red flags

- ! Unclear title/authority
- ! Pending litigation or acquisition
- ! Unreleased mortgage/charge
- ! Wrong instrument or deficient stamp
- ! Possession before legal protection
- ! Uncontrolled limitation or forum