

FININ2MIN - TRANSFER OF PROPERTY ACT, 1882

Chapter IV-G - Anomalous Mortgages, Charges and Merger

Chapter in 2 Minutes

Draft anomalous security and charges with priority, merger and enforceability consequences clearly allocated.

Provision map

- 98: Anomalous mortgages
- 99: Repealed
- 100: Charges
- 101: No merger with subsequent encumbrance

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