

FININ2MIN - TRANSFER OF PROPERTY ACT, 1882

Section 53 Fraudulent Transfer and Creditor Protection Master

Chapter in 2 Minutes

Test intent, consideration, good faith, creditor prejudice and insolvency overlays without equating every preference with statutory fraud.

Provision map

- Implementation/source-control module - verify official and State instruments.

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