

An Empirical Study on the Rights Vested Over Ostensible Owner in Transferring a Property

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ABSTRACT

The present research is based on the transfer of property by the ostensible owner and their rights in transferring such property. This research is an empirical method and a survey has been collected from various sets of people. The sample size is 1550. Data is collected through the primary and secondary sources. Questionnaire is used as the primary data collection and the articles, journals, reports, newsletters are considered as the secondary sources. The analysis is done by using SPSS 21 version. The analysis is carried out for demographic statistics (Gender, Age, Status, Education and Occupation) and hypothesis testing correlation and cross tabulation is used. The introduction part of this research explains the concept of Transfer of property by ostensible owners in India. The aim of the research is mentioned at the last line of the introduction. The objective part of the research is about the inter findings of the research. Whereas the review of literature deals with the view of certain authors/jurists/advocates etc. Where the explanations for each analysis were presented below the respective tabulations. The discussion part of the research deals with the overall information about the tax reduction on fuel cell vehicles. Whereas the conclusion part of the research contains the overall information regarding the outcome of this present research.

Keywords : Reduction, Pollution free, Promotion, Tax payment, Market demand

I. INTRODUCTION :

Transfer of Property implies a demonstration by which a living individual can pass on property, in present or in future, to at least one other living people, or to himself, or to himself and at least one or other living people, and to move property is to perform such act.(Mulla) The object

of the Transfer of Property Act is to characterize and revise law identifying with Transfer of Property by demonstration of gatherings and not to move by activity of law. A Transfer of Property is an agreement henceforth all essential necessities to comprise substantial contract are to be satisfied.(Misra)

One of the general standards of Law of Transfer of Property is articulated by the adage that no man can move to another a privilege or title more prominent than what he himself has and he gives not who hath not.(Khanna et al.) Be that as it may, to this general guideline this Section 41 gives a special case. The standard basic the arrangements of the area is "at whatever point one of the two guiltless people needs to endure by the demonstration of a third individual he who has empowered the third individual to event the misfortune must continue(Khanna et al.; Mitra and India). Along these lines, if the true owner of the property allows another to hold himself out as the true owner as by entrusting him with the records of title or in some other manner, a third individual who true blue arrangements with that others may procure a decent title to the property as against the true owner("Federal Act on the International Transfer of Cultural Property: (Cultural Property Transfer Act, CPTA) Dated June 20, 2003").The Transfer of Property Act essentially manages move of steadfast property and interests in undaunted property. Be that as it may, a portion of its arrangements additionally apply and oversee move of versatile property(Marcus and Nico). It gives a particular technique for move of enduring property and one of the significant components of the Act is that notwithstanding not many exemptions, move of unflinching property is never again a private undertaking as it requires obligatory enrollment of the exchange report. Before the Transfer of Property Act, 1882, there was basically no law as

to land in India(Chakroun). A couple of focuses were secured by the Regulations and Acts which were revoked either completely, or to some degree by area 2 of the Act. In any case, for the remainder of the law, the courts, without any statutory arrangements, embraced the English law as the standard of equity, value and great inner voice.(Chakroun; Siehr) This was not palatable, for the principles of English law were not constantly pertinent to social conditions in India, and the case law got befuddled and clashing(Shephard). To cure this situation, Commission was selected in England to set up a code of substantive law of India. Here the Ostensible owners isn't the true owner yet one who can speak to himself as the true owner to the outsiders for such dealings(Shephard; Mitra and Sen Gupta). He has gained that privilege by the determined disregard or passive consent by the true owner of the property along these lines presenting on him the status of Ostensible owners(Mallick). **The aim of the present research is to study the rights vested over the ostensible owner in transferring the property.**

OBJECTIVE :

- To know the conditions for transfer by ostensible ownership
- To analyse the case Ram Coomar v. Mc Queen, under ostensible ownership

RESEARCH METHODOLOGY

The present paper was analysed through the non-doctrinal research methodology and empirical and descriptive method of research was used. The present analysis was made through random sampling method where the survey was taken from common public, professionals, etc. The sample size 1550, the independent variable is in the analysis is education and the dependent variables is reliable on the statement of the questions arise. The research tools used in the present paper such as cross tabulation, chi-square and case summary and graphical representation was also used to analyse the study.

II. REVIEW OF LITERATURE :

Avtar Singh : Textbook on the Transfer of Property Act - Page 127 - 2009

She ceased to be an ostensible owner after her death and cannot pass on a better title than what she had. Admittedly, she had a life estate in the property and after her death, the title in the land would revert to the State of Punjab."2 6. Essential Requirements of the Section The following conditions are necessary for the ...(Unger)

BPP Learning Media : Business Essentials: Company and Commercial Law - Page 10 - 2010

Watteau v Fenwick 1893 The facts: The owner of a hotel (F) employed the previous owner H to manage it. ... 3.3 Ostensible or apparent authority The ostensible (or apparent) authority of an agent is that which his principal represents to other persons (with whom the agent ... Lockyer v Buckhurst Park Properties (Mangal) Ltd 1964 The facts: K and H carried on business as property developers through a company which they ...(Zheng)

All India Reporter - Volume 2 - Page 19 - 1959

The first essential requisite, to attract the provisions of S. 41 is that a person is the ostensible owner of the property with the consent expressed or implied of the real owner. After it has been established that the ostensible owner of the property (Cleve)

Annual Survey of Indian Law - Volume 27 - Page 131 - 1991

Section 41 — essentials In Seshmull M. Shah v. Sayed Abdul Rashid,13 the Karnataka High Court discussed at length the essentials for invoking the doctrine of 'ostensible owner' VoL XXVII] 131 Law of Property Section 41 essentials.(Cleve; Hall)

BPP Learning Media : ACCA Essentials P2 Corporate Reporting (International and UK) - 2014

Assets which IAS 40 states are not investment property, and which are therefore not covered by the standard include: (i) Property held for use in the production or supply of goods or services. Applying IAS 40 to Blackcutt's properties, the land owned for capital appreciation and which may be sold at any time in the future.(Marshall D. Ewell)

Nishant Kashyap & Ashutosh Anand : Objection Your Honour(All You Wanted To Know About Indian Law) - 2005

compulsorily registered under the Transfer of Property Act and the Registration Act. However, in case of failure to do so the owner of the property cannot evict the tenant on the ground of such non-registration. A lease is a transfer of a right to enjoy the property and such transfer can be made expressly or by implication.

Meena R.L. : Textbook On Contract Law Including Specific Relief - 2008

The result is that the validity of a transfer of property must be tested in the light of section 23 of the Indian Contract Act only. Apart from section 6(h) of the Transfer of Property Act, which makes only section 23 of the Indian Contract Act applicable to transfer of property, there is no other provision in the Transfer of Property Act 1882

Giacomo Morri, Antonio Mazza : Property Finance: An International Approach - 2015

Immovable property includes: land, buildings, anything attached to the land or permanently fastened to it and any interest in immovable property. ... The statutory legislations governing real estate are: Indian Contract Act 1872, Transfer of Property Act 1882, Registration Act 1908, Specific Relief Act 1963, Urban Land

Dr. A.B. Kafaliya : Textbook on Pleadings, Drafting & Conveyancing - 2010

The act of conveyance must, however, be by a living person either he is the owner of the property or he is authorized to convey such property. The property transferred may be outside India, if the act

of conveyance is within the territory of India, the rights and liabilities of the parties to the conveyance shall be liable.

West Bengal (India), Amar Nath Saha - 1990 - H. L. Kumar : Legal Drafting: Do it Yourself - 2010 periodically or on specific occasions, to the transferor by the transferee who accepts such transfer on terms (Section 105 of the Transfer of Property Act). ... Section 53A of the Transfer of Property Act. The powers of an executor or administrator to grant a lease are regulated by Section 307 of the Indian Succession Act,

III. ANALYSIS AND DISCUSSION:

TABLE 1:

Gender

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	Male	689	44.5	44.5	44.5
	Female	861	55.5	55.5	100.0
	Total	1550	100.0	100.0	

Table 1 discussion: The analysis were considered under different basis depending on the background of the respondents, under which the analysis under gender reveals the following; the total number of samples were found to be 1550. The above said respondents were categorized between genders

such as male and female. Finally, under the said categories, it is found that out of 1550 respondents 689 respondents were male and 861 respondents were female.

TABLE 2:

Age

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	20 to 30 years	400	25.8	25.8	25.8
	31 TO 40 yeras	430	27.7	27.7	53.5
	41 to 50 years	603	38.9	38.9	92.5
	Above 50 years	117	7.5	7.5	100.0
	Total	1550	100.0	100.0	

Table 2 discussion: The analysis were considered under different basis depending on the background of the respondents, under which the analysis under age group reveals the following; the total number of samples were found to be 1550. The above said respondents were categorized under different age groups such as: 20 to 30yrs, 31 to 40yrs, 41 to 50yrs

and above 50yrs. Finally, under the said categories, 400 respondents were found to lie within age group 20 to 30yrs; 430 respondents were found to lie within age group 31 to 40yrs; 603 respondents were found to lie within age group 41 to 50yrs and 117 respondents were found to be above 50yrs.

TABLE 3:

Education

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	High school	152	9.8	9.8	9.8
	Higher secondary	528	34.1	34.1	43.9
	UG	448	28.9	28.9	72.8
	PG	422	27.2	27.2	100.0

Total	1550	100.0	100.0	
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Table 3 discussion: The analysis were considered under different basis depending on the background of the respondents, under which the analysis under educational qualification reveals the following; the total number of samples were found to be 1550. The above said respondents were

categorized between levels of education such as High School, Higher secondary, UG and PG. Finally, under the said categories, it is found that 152 respondents are High School; 528 respondents are Higher secondary ; 448 respondents are UG and 422 respondents are PG students.

TABLE 4:

Marital status

	Frequency	Percent	Valid Percent	Cumulative Percent
Valid Married	887	57.2	57.2	57.2
Unmarried	663	42.8	42.8	100.0
Total	1550	100.0	100.0	

Table 4 discussion: The analysis were considered under different basis depending on the background of the respondents, under which the analysis under Marital status reveals the following; the total number of samples were found to be 1550. The

above said respondents were categorized between Marital Status such as Married and Unmarried. Finally, under the said categories, it is found that out of 1550 respondents 887 respondents were Married and 663 respondents were Unmarried.

TABLE 5:

Monthly Income

	Frequency	Percent	Valid Percent	Cumulative Percent
Valid 15000 – 30000	377	24.3	24.3	24.3
30001 – 40000	584	37.7	37.7	62.0
40001- 50000	379	24.5	24.5	86.5
Above 50001	210	13.5	13.5	100.0
Total	1550	100.0	100.0	

Table 5 discussion: The analysis were considered under different basis depending on the background of the respondents, under which the analysis under Monthly Income reveals the following; the total number of samples were found to be 1550. The above said respondents were categorized between levels of Monthly income such as 15000-30000,

30001-40000, 40001- 50000 and Above 50001. Finally, under the said categories, it is found that 377 respondents are 15000-30000; 584 respondents are 30001-40000 ; 379 respondents are of 40001-50000 and 210 respondents are Above 50001as Monthly income.

TABLE 6:

Occupation

	Frequency	Percent	Valid Percent	Cumulative Percent
Valid Business	209	13.5	13.5	13.5
Government job	577	37.2	37.2	50.7
Private company employee	628	40.5	40.5	91.2
unemployed	136	8.8	8.8	100.0
Total	1550	100.0	100.0	

Table 6 discussion: The analysis were considered under different basis depending on the background

of the respondents, under which the analysis under Occupation reveals the following; the total number

of samples were found to be 1550. The above said respondents were categorized between levels of education such as Business, Government Job, Private company employee and Unemployed. Finally, under the said categories, it is found that 209 respondents are Business; 577 respondents are Government Job ; 628 respondents are Private company employee and 136 respondents are Unemployed.

H0 : There is no significant association between education and the transfer of property by ostensible owner

Ha : There is a significant association between education and the transfer of property by ostensible owner

Education : Ostensible owner Is not a real owner but can represent himself as a real owner to the third parties

HYPOTHESIS :

Crosstab

		1. Ostensible owner Is not a real owner but can represent himself as a real owner to the third parties					Total
		Strongly agree	Agree	Neutral	Disagree	Strongly disagree	
Education High school	Count	0	20	52	23	57	152
	% within Education	0.0%	13.2%	34.2%	15.1%	37.5%	100.0%
Ostensible owner Is 2t a real owner but can represent himself as a real owner to the third parties	Count	0	8	9	4	28	49
	% within Education	0.0%	8.6%	9.6%	4.4%	28.4%	9.8%
Higher second ary	Count	1	63	121	303	40	528
	% within Education	0.2%	11.9%	22.9%	57.4%	7.6%	100.0%
Ostensible owner Is 2t a real owner but can represent himself as a real owner to the third parties	Count	1	18	22	58	19	108
	% within Education	1.8%	27.0%	22.4%	58.0%	19.9%	34.1%
UG	Count	19	32	234	86	77	448
	% within Education	4.2%	7.1%	52.2%	19.2%	17.2%	100.0%
Ostensible owner Is 2t a real owner but can represent himself as a real owner to the third parties	Count	19	32	43	16	38	148
	% within Education	34.5%	13.7%	43.4%	16.5%	38.3%	28.9%
PG	Count	35	118	132	110	27	422
	% within Education	8.3%	28.0%	31.3%	26.1%	6.4%	100.0%

	% within 1. Ostensible owner Is 2t a real owner but can represent himself as a real owner to the third parties	63.6%	50.6%	24.5%	21.1%	13.4%	27.2%
Total	Count	55	233	539	522	201	1550
	% within Education	3.5%	15.0%	34.8%	33.7%	13.0%	100.0%
	% within 1. Ostensible owner Is 2t a real owner but can represent himself as a real owner to the third parties	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%

Chi-Square Tests

	Value	df	Asymptotic Significance (2-sided)
Pearson Chi-Square	422.278 ^a	12	.000
Likelihood Ratio	401.014	12	.000
Linear-by-Linear Association	122.076	1	.000
N of Valid Cases	1550		

a. 0 cells (0.0%) have expected count less than 5. The minimum expected count is 5.39.

RESULT

From the given table the question aroused was “Ostensible owner Is not a real owner but can represent himself as a real owner to the third parties?”. Out of the total values only 20% of people agree with the given statement whereas 30% is being occupied by the people who have no idea about the concept and the remaining 50% of the population are totally disagree with the given statement. Here in the given chi square table the value of p is 0.000 which is lesser than the value 0.05 hence null hypothesis is proved, ie.

[0.000<0.05]. “**H0 Rejects - so there is an association between the demographic variable and independent variable**”.

HYPOTHESIS :

H0 : There is no significant association between education and the concept of ostensible owner

Ha : There is a significant association between education and the concept of ostensible owner

Education : are you aware of the ostensible owner

Crosstab

			2.are you aware of the ostensible owner		Total
			Yes	No	
Education	High school	Count	68	84	152
		% within Education	44.7%	55.3%	100.0%
		% within 2.are you aware of the ostensible owner	9.6%	10.0%	9.8%
	Higher	Count	334	194	528

secondary	% within Education	63.3%	36.7%	100.0%
	% within 2. are you aware of the ostensible owner	47.1%	23.1%	34.1%
UG	Count	145	303	448
	% within Education	32.4%	67.6%	100.0%
PG	% within 2. are you aware of the ostensible owner	20.5%	36.0%	28.9%
	Count	162	260	422
Total	% within Education	38.4%	61.6%	100.0%
	% within 2. are you aware of the ostensible owner	22.8%	30.9%	27.2%
Total	Count	709	841	1550
	% within Education	45.7%	54.3%	100.0%
Total	% within 2. are you aware of the ostensible owner	100.0%	100.0%	100.0%

Chi-Square Tests

	Value	df	Asymptotic Significance (2-sided)
Pearson Chi-Square	106.820 ^a	3	.000
Likelihood Ratio	107.909	3	.000
Linear-by-Linear Association	40.307	1	.000
N of Valid Cases	1550		

a. 0 cells (0.0%) have expected count less than 5. The minimum expected count is 69.53.

IV. RESULT

From the given table the question aroused was “Are you aware of the ostensible owner?”. Out of the total values only 40% of people are aware of the ostensible owner whereas 60% is being occupied by the people who are totally unaware of the term ostensible owner. Here in the given chi square table the value of p is 0.000 which is lesser than the value 0.05 hence null hypothesis is proved, ie. $[0.000 < 0.05]$. **“H₀ Rejects - so there is an association between the demographic variable and independent variable”**.

V. DISCUSSION :

Ostensible owners isn't the true owner yet one who can speak to himself as the true owner to the outsiders for such dealings(Marshall Davis

Ewell, Essentials of the Law ...: Elementary Law ... with Notes and References for the Use of Students at Law). He has gained that privilege by the determined disregard or passive consent by the true owner of the property along these lines presenting on him the status of Ostensible owners(Marshall D. Ewell; Marshall Davis Ewell, Essentials of the Law ..). For example, when the property is in spouse's name anyway the husband dealing with it and going into exchanges for her sake is the Ostensible owners and has the power to arrange it off(Wordley). The marvel of naming an Ostensible owners is a guideline of common value, which must be all around pertinent, that where one man enables another to hold himself out as the proprietor of a bequest, and a third individual buys it for esteem from the obvious proprietor in the

conviction that he is the true owner, the man who so permits the other to hold himself out will not be allowed to recuperate upon his mystery title, except if he can topple that of the buyer by (Marshall Davis Ewell, *Essentials of the Law ...: Elementary Law ... with Notes and References for the Use of Students at Law*; Thompson and Brady) appearing, either that he had direct notice, or something which adds up to productive notice, of the genuine title, or that there existed conditions which should have put him upon a request that, whenever indicted would have prompted disclosure of it. (Nash)

The fundamental conditions for the legitimate exchange by an ostensible owner are that:

- an individual must be the ostensible owner of a property.
- he should be such proprietor with the assent express or suggested of the genuine proprietor;
- the transferee must buy the property from such ostensible owner for thought.
- prior to taking the exchange, the transferee must take sensible consideration to find out that the transferor has capacity to make the exchange as it were, he should act in compliance with common decency.

In the event that any of the above conditions is feeling the loss of, the transferee would not be qualified to assist this segment (Baskind). What's more, if all the above conditions are satisfied, the genuine proprietor will be denied of his advantage. (Vigouroux-Frey)

Ram Coomar v. Mc Queen

The ground of this with the exception of was expressed by the Judicial Committee of the Privy Council in *Ram Coomar v. Mc Queen*, in the accompanying words: "It is a standard of characteristic value which must be all around relevant, that where one man enables another to hold himself out as the proprietor of a bequest and a third individual buys it, for esteem, from the evident proprietor in the conviction that he is the genuine proprietor, the man who so permits the other to hold himself out will not be allowed to recuperate upon a mystery title, except if he can oust that of the buyer by appearing, either that he had direct notice or something which adds up to productive notice, of the genuine title; or that there existed conditions which should have put him upon an enquiry, that, whenever arraigned would have prompted a disclosure of It. (1872) IA Supp. Vol. 40, This rule has been cherished in Section 41, Transfer of Property Act, 1882. (Shephard)

VI. CONCLUSION :

The paper weights on the lawful arrangement in Transfer of Property Act, 1882 characterizing the forces of ostensible owner and talking about the idea of exchanges entered by him. ostensible owner has as its progressively noticeable trademark the power given by the proprietor of the property to enter exchanges for his benefit. The assent for this authority could be either express or suggested which could be comprehended by different milestone case laws. Anyway assent does exclude a goal to mislead. Additionally once made the exchange of property isn't voidable at the choice of the proprietor. This exchange additionally incorporate halfway moves like home loan, rent alongside complete exchange of rights like deal, trade. Likewise the law places weight of demonstrating that the transferor is ostensible owner, on the transferee. He should likewise act genuine in compliance with common decency and make appropriate request with regards to the status of move and be cautious.

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AN EMPIRICAL STUDY ON THE RIGHTS VESTED OVER OSTENSIBLE OWNER IN TRANSFERRING A PROPERTY AUTHOR INFORMATION : S.Sowndarya Reg. no. 131602066 Student, IV BBA,LLB (HONS) Sreevetha School of Law, Sreevetha Institute of Medical And Technical Science, Sreevetha University, Chennai-600077. email id : sowndaryasiba@rediffmail.com mobile no. : 9844195252 CO-AUTHOR INFORMATION : Prof. C.M.Sena Muthu Assistant Professor for Law Sreevetha School of Law, Sreevetha Institute of Medical And Technical Science, Sreevetha University, Chennai-600077. email id : AN EMPIRICAL STUDY ON THE RIGHTS VESTED OVER OSTENSIBLE OWNER IN TRANSFERRING A PROPERTY AUTHOR : S.SOWNDARYA Co-author : C.M. SELVA

MLTUD ABSTRACT The present research is based on the reduction of tax over fuel cell vehicle in order to promote the pollution free environment and people's opinion towards the reduction. This research is an empirical method and survey has been conducted from various set of people. The sample size is 1550. Data is collected through the primary and secondary sources. Questionnaire is used as the primary data collection and the articles, journals, reports, newspapers are considered as the secondary sources. The analysis is done by using SPSS 21 version. The analysis is carried out for demographic statistics (Gender, Age, Status, Education and Occupation) and hypothesis testing correlation and cross tabulation is used. The introduction part of the research explains the concept of Transfer of property by ostensible owner in India. The aim of the research is mentioned at the last line of the introduction. The objective part of the research is about the main findings of the research. While in the review of literature deals with the view of certain author/quote/advocate etc. While the explanations for each analysis were presented below the respective tabulations. The discussion part of the research deals with the view all information about the tax reduction on fuel cell vehicle. Whereas the conclusion part of the research contains the overall information regarding the outcome of the present research. Keywords : Reduction, Pollution free, Environment, Tax payment, Market demand

INTRODUCTION : Transfer of Property implies a demonstration by which a living individual can pass on property, in present or in future, to at least one other living people, or to himself, or to himself and at least one or other living people, and to move property is to perform such act. The object of the Transfer of Property Act is to that advance and raise law identifying with Transfer of Property by demonstration of gatherings and not to move by act of law. A transfer of Property is an agreement herewith all essential necessities to complete substantial contract are to be satisfied. One of the general standards of Law of Transfer of Property is articulated by the adage that no man can give to another a privilege or title more than what he himself has and he gives, not who hath not. Be that as it may, to the general guideline the Section 41 gives a special case. The standard basic the arrangements of the area is "as whatever grant one of the two parties needs to endure by the demonstration of a third individual he who has empowered the third individual to avoid the risk/loss risk continue. Along these lines, if the true owner of the property allows another to hold himself out as the transferor as by entrusting him with the records of title or in some other manner, a third individual who trust him arrangements with that office may procure a decent title to the property as against the true owner. The Transfer of Property Act essentially manages move of real estate property and interests in unincorporated property. Be that as it may, a portion of its arrangements additionally apply and oversee move of versatile property. It gives a particular technique for move of unincorporated property and one of the significant components of the Act is that notwithstanding not many exemptions, move of unincorporated property is never again a private undertaking as it requires obligatory enrollment of the exchange report. Before the Transfer of Property Act, 1882, there was basically no law as to land in India. A couple of focuses were secured by the Regulations and Acts which were made either completely, or to some degree by act 2 of the Act. In any case, for the remainder of the law, the courts, without any statutory arrangements, ordered the English law as the standard of equity, value and good intent ones. This was not profitable, for the principles of English law were not constantly pertinent to social conditions in India, and the case law was not of the same quality as that of the English law. The Transfer of Property Act, 1882, was passed to amend the law in this respect.

got introduced and existing. To cure this situation, Commission was directed in England to set up a Code of substantive law of India. Here the Ostensible owners isn't the true owner yet one who can speak to himself as the true owner to the outsiders for such dealings. He has gained that privilege by the determined disregard or passive consent by the true owner of the property along these lines presenting on him the status of Ostensible owners. The aim of the present research is to study the rights vested over the ostensible owner in transferring the property. OBJECTIVE : To know the conditions for transfer by ostensible ownership To analyse the case Ram Coomar v. Mc Queen, under ostensible ownership RESEARCH METHODOLOGY The present paper was analysed through the non-doctrinal research methodology and empirical and descriptive method of research was used. The present analysis was made through random sampling method where the survey was taken from common public, professionals, etc. The sample size 1550, the independent variable is in the analysis is gender and the dependent variables is reliable on the statement that whether they are aware of technical barriers set on imports and exports or not. The research tools used in the present paper such as cross tabulation, chi-square and case summary and graphical representation was also used to analyse the study.

Sources	Similarity
Prasad Synopsiss Modern Portfolio Theory (7 views/Compare text research design the data is collected through the primary and secondary sources. secondary data secondary data was collected by referring the following sources: shantiners publication value guide magazine company website nse website textbooks... https://www.scribd.com/document/130155859/Prasad-Synopsiss	10%

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DISCUSSION : Ostensible owners isn't the true owner yet one who can speak to himself as the true owner to the outsiders for such dealings. He has gained that privilege by the determined disregard or passive consent by the true owner of the property along these lines presenting on him the status of Ostensible owners. For example, when the property is in spouse's name anyway the husband dealing with it and going into exchanges for her sake is the Ostensible owners and has the power to arrange it off. The marvel of naming an Ostensible owners is a guideline of common value, which must be all around pertinent, that where one man enables another to hold himself out as the proprietor of a bequest, and a third individual buys it for esteem from the obvious proprietor in the conviction that he is the true owner, the man who so permits the other to hold himself out will not be allowed to recuperate upon his mystery title, except if he can topple that of the buyer by appearing, either that he had direct notice, or something which adds up to productive notice, of the genuine title, or that there existed conditions which should have put him upon a request that, whenever indicted would have prompted disclosure of it. The fundamental conditions for the legitimate exchange by an ostensible owner are that: an individual must be the ostensible owner of a property, he should be such proprietor with the assent express or suggested of the genuine proprietor; the transferee must buy the property from such ostensible owner for thought. prior to taking the exchange, the transferee must take sensible consideration to find out that the transferor has capacity to make the exchange as it were, he should act in compliance with common decency. In the event that any of the above conditions is feeling the loss of, the transferee would not be qualified to assist this segment. What's more, if all the above conditions are satisfied, the genuine proprietor will be denied of his advantage. *Ram Coomar v. Mc Queen* The ground of this with the exception of was expressed by the Judicial Committee of the Privy Council in *Ram Coomar v. Mc Queen*, in the accompanying words: "It is a standard of characteristic value which must be all around relevant, that where one man enables another to hold himself out as the proprietor of a bequest and a third individual buys it, for esteem, from the evident proprietor in the conviction that he is the genuine proprietor, the man who so permits the other to hold himself out will not be allowed to recuperate upon a mystery title, except if he can oust that of the buyer by appearing, either that he had direct notice or something which adds up to productive notice, of the genuine title; or that there existed conditions which should have put him upon an enquiry, that, whenever arraigned would have prompted a disclosure of it. (1872) IA Supp. Vol. 40 , This rule has been cherished in Section 41, Transfer of Property Act, 1882. **CONCLUSION :** The paper weights on the lawful arrangement in Transfer of Property Act, 1882 characterizing the forces of ostensible owner and talking about the idea of exchanges entered by him. ostensible owner has as its progressively noticeable trademark the power given by the proprietor of the property to enter exchanges for his benefit. The assent for this authority could be either express or suggested which could be comprehended by different milestone case laws. Anyway assent does exclude a goal to mislead. Additionally once made the exchange of property isn't voidable at the choice of the proprietor. This exchange additionally incorporate halfway moves like home loan, rent alongside complete exchange of rights like deal, trade. Likewise the law places weight of demonstrating that the transferor is ostensible owner, on the transferee. He should likewise act genuine in compliance with common decency and make appropriate request with regards to the status of move and be cautious.

Sources	Similarity
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