



Law of Property Act 1925

1925 CHAPTER 20

PART III

MORTGAGES, RENTCHARGES, AND POWERS OF ATTORNEY.

Mortgages.

98 Actions for possession by mortgagors.

- (1) A mortgagor for the time being entitled to the possession or receipt of the rents and profits of any land, as to which the mortgagee has not given notice of his intention to take possession or to enter into the receipt of the rents and profits thereof, may sue for such possession, or for the recovery of such rents or profits, or to prevent or recover damages in respect of any trespass w other wrong relative thereto, in his own name only, unless the cause of action arises upon a lease or other contract made by him jointly with any other person.
- (2) This section does not prejudice the power of a mortgagor independently of this section to take proceedings in his own name only, either in right of any legal estate vested in him or otherwise.
- (3) This section applies whether the mortgage was made before or after the commencement of this Act.