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## Secondary Rights

Secondary rights are also called Sanctioning, restitutory or remedial rights. Secondary rights are a part of the machinery provided by the state of the redress of injury done to the primary rights.

### Example

Rights to obtain compensation for defamation to person.

### Conclusion

To conclude we can say that legal rights are those which are conferred by the state on certain individuals and imposes corresponding duties on others. It is enforced by the physical ~~state~~ force of the state.





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## Legal Right

The definition of legal right

### According to Gray

A legal right is that power which a man has to take a person or person do or refrain from doing a certain acts, so far as the power arises from society imposing a legal duty upon a person or persons.

## Kinds of legal Rights

Following are the kinds of legal rights.

### Perfect Right

According to Salmond  
A perfect right is one which corresponds to a perfect duty and which are enforced by law.





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## Example

A contract specially enforceable through the court of law is an example of perfect right.

## Imperfect Right

An imperfect right is that which is recognized by law but cannot be enforced by law due to some impediment.

## Positive Right

A positive right corresponds to a positive duty and person subject to the duty is bound to do something.

## Negative Right

Negative right corresponds to negative duties. The enjoyment of negative right is complete unless such interference takes place.

## Real Right

A real right corresponds to a duty imposed





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upon persons in general.  
Its available against the  
whole world. Real rights are  
generally a negative rights as  
the duties which can be  
expected from the whole world  
are of a negative character.

### Example

I have a right to be  
deprived of my life is a  
real right as it is available  
against the whole world.

### Personal Right

A personal right corresponds  
to a duty imposed upon  
determinate individuals. It  
against a particular person.  
Its also called positive rights.

### Example

I have a personal  
right to receive compensation  
from any individual who  
is any harm me.





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## Rights in Rem

It is derived from the Roman term action in Rem. It is available the whole world.

## Examples

Rights of ownership and possession. My right of possession and ownership is protected by law against all those who may interfere with the same.

## Rights in Personam

It is derived from the Roman term "action in personam" right in personam corresponds to duty imposed upon determinate persons.

## Examples

Rights under a contract are right in personam as the parties to the contract alone are bound by it.





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## Rights in Re-Propria

Rights in re-propria means right over on is own property. These are complete rights to which other right can be attached.

### Example

The owner of a chattel has a right in re-propria over it.

## Rights in Re-aliena

A right in re-aliena is an encumbrance on property of other imposing restriction on owner. These rights derogate from the rights of another person and add to the rights of their holder.

### Example

A give his house on rent to B.





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## Legal Rights

Legal rights are those which were recognized by common law court.

## Example

Right to vote etc.

## Primary Rights

Primary rights are also called antecedent, sanctioned or enjoyment rights. These are those rights which are independent of a wrong having been committed. They exist for own sake.

## Example

Right of reputation, Right to life.

## Public Rights

A public rights is possessed by every member of the public. It is between state and private individual.

