

B.L / LLB (Hon's)

May - 2016

Question Paper

Register No.

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H 1066

H31A/H31A

LL.B. (Hons.)/B.L. (Hons.) DEGREE (SEMESTER) EXAMINATIONS,  
MAY 2016.

(For the candidates admitted from 2011 to 2015)

First Year — First Semester

**JURISPRUDENCE**

Time : 2½ hours

Maximum : 70 marks

**PART A — (2 × 12 = 24 marks)**

Answer TWO of the following in about 500 words each.

1. "Jurisprudence as a branch aims to enquire law, based on legitimate questions, for the chief purpose of developing a value based system" - Analyse.
2. "The schools of jurisprudence are in essence nothing but finer methods to understand law as such" - Elaborate.
3. "Hohfeld's Jural relations theory indeed rejuvenated the legal philosophy on the concepts of rights and duties" - Examine.

**PART B — (2 × 7 = 14 marks)**

Answer TWO of the following in about 300 words each.

4. "The concept of legal personality in practice indicates an evolutionary character" - Explain.
5. "Lon. L. Fuller's conceptualization of morality of law, also takes into consideration the conscience clause" - Discuss.
6. Define ownership. Evaluate the attributes of ownership in the context of "Right to drinking water" in India.

**PART C — (5 × 4 = 20 marks)**

7. Write short notes on FIVE of the following :
  - (a) Principles on legislation.
  - (b) Contribution of Gustav Radbruch.

[P.T.O.]

- (c) Betterment of women in Law.
- (d) Natural justice and legal justice.
- (e) H.L.A. Hart's criticism on Austin.
- (f) Grundnorm.
- (g) Distinguish question of fact and question of law.

**PART D — (2 × 6 = 12 marks)**

Answer TWO of the following by referring to the relevant provisions of law and decided cases. Give cogent reasons.

8. 'X' a differently abled person approaches the courts, challenging the constitutionality of the Persons with Disabilities Act. 'X' argues that the definitional clause adopts a medical perspective, in effect it only discriminates them further and affects their interest. Discuss the merits involved.
9. In a case concerning the interpretation of Article 13 of the Constitution, the court is asked to clarify as to the 'legitimacy of the Indian judiciary to interpret the Constitution'. Whether it falls under the judicial mandate or it constitutes a judicial policy. Explain.
10. 'X', a woman, is convicted for the grave offences of sedition and that of terrorism. However, as she is found pregnant, the execution order is commuted. Nevertheless, the question of law is, who is the beneficiary or holder of such protection. Is it the Unborn child or the, to be mother. Discuss.

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H 1083

H31B/H31B

**B.L. (Hons.)/LL.B. (Hons.) DEGREE (SEMESTER) EXAMINATIONS,  
MAY 2016.**

(For the candidates admitted from 2011 to 2015)

First Year — First Semester

**CONTRACTS — I**

Time : 2½ hours

Maximum : 70 marks

**PART A — (2 × 12 = 24 marks)**

Answer TWO of the following in about 500 words each.

1. Explain the meaning of revocation of offer and acceptance by referring to postal rule of revocation of offer and acceptance.
2. State the factors that vitiate free consent.
3. Discuss the concept of Quasi Contract and refer to the various types of Quasi Contracts.

**PART B — (2 × 7 = 14 marks)**

Answer TWO of the following in about 300 words each.

4. Explain the importance and relevance of public policy in Indian contract.
5. Discuss the various remedies for Breach of Contract.
6. Explain the difference between Void agreement and illegal agreement.

**PART C — (5 × 4 = 20 marks)**

7. Write short note on FIVE of the following :
  - (a) Unilateral and Bilateral contract
  - (b) Standard form of contracts
  - (c) Reciprocal promise
  - (d) Recession.
  - (e) Quantum meruit.
  - (f) Declaratory decrees
  - (g) Accord and satisfaction.

[P.T.O.]

**PART D — (2 × 6 = 12 marks)**

Answer TWO of the following by referring to the relevant provisions of law and decided cases. Give cogent reasons.

8. "X" signs a contract with "Y" and the contract did not mention the time of performance. "Y" does not perform the contract and "X" sues "Y". Decide the liability of "Y".
  9. An agreement was signed between 'A' and 'B' for buying shares of a Company. Both of them agreed that the agreement would be enforced only if the rate of a share increases Rs. 30 per share. The rate increased enormously but 'B' refused to sell the share. Decide whether the agreement is a wager.
  10. "X" and "Y" are husband and wife respectively. Both of them visit Colombo on a tour and "Y" becomes sick over there. Both "X" and "Y" sign an agreement, where "X" agrees to send money for maintenance. But "X" refuses to send money to "Y". Decide.
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H 1108

H31C/H31C

**LL.B. (Hons.)/B.L. (Hons.) DEGREE (SEMESTER) EXAMINATION,  
MAY 2016.**

(For the candidates admitted from 2011 to 2015)

First Year — First Semester

**LAW OF TORTS**

Time : 2½ hours

Maximum : 70 marks

**PART A — (2 × 12 = 24 marks)**

Answer TWO of the following in about 500 words each.

1. "Every invasion of property be it ever so minute is a trespass" - Comment.
2. "The liability for libel does not depend on the intention of the defamer, but on the fact of defamation" - Discuss.
3. Enumerate the modes of discharge of torts and discuss the maxim "Actio personalis moritur cum persona".

**PART B — (2 × 7 = 14 marks)**

Answer TWO of the following in about 300 words each.

4. "Remedies in tort are two kinds - Judicial and extra - Judicial" - Discuss.
5. Discuss the doctrine of remoteness of damage with decided case laws.
6. Distinguish between public nuisance and private nuisance.

**PART C — (5 × 4 = 20 marks)**

7. Write short notes on FIVE of the following :
  - (a) Damnum sine Injuria.
  - (b) Doctrine of common employment.
  - (c) Res Ipsa loquitur.
  - (d) Inevitable accident.

[P.T.O.]

- (e) Scierter rule.
- (f) Conversion.
- (g) Pigeon Hole theory.

**PART D — (2 × 6 = 12 marks)**

Answer TWO of the following by referring to relevant provisions of law and decided cases. Give cogent reasons.

8. Rama's husband gave some amount to his friend who was an employee in the defendant bank for being deposited in Rama's account. The employee misappropriated the amount. Discuss the liability of the bank.
9. A station master of Railway company wrongfully detained Raman, because he refused to pay the fare of his horse. The power to detain under such circumstances was outside the powers of the Railway company. 'Raman' sues the Railway company for damages. Decide.
10. Two dogs belongs to 'x' and 'y' were fighting. While 'x' was trying to separate them by beating them using a stick, mistakenly hit and injured 'y'. Whether 'x' has committed any tort.

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H 1127

H31D/H31D

B.L. (Hons)/LL.B. (Hons). DEGREE (SEMESTER) EXAMINATIONS,  
MAY 2016.

(For the candidates admitted from 2011 to 2015)

First Year — First Semester

LAW OF CRIMES — I

Time : 2½ hours

Maximum : 70 marks

PART A — (2 × 12 = 24 marks)

Answer TWO of the following in about 500 words each.

1. Critically examine the crimes committed against women as enumerated under the Indian Penal Code.
2. Explain the provisions of right of private defence under Indian Penal Code, 1860.
3. What are the essential conditions required for the offence of criminal intimidation? Is there any difference between criminal intimidation and theft? Discuss.

PART B — (2 × 7 = 14 marks)

Answer TWO of the following in about 300 words each.

4. "Solitary confinement to be restored in extreme cases only" — Examine with decided cases.
5. State the essentials of Grievous hurt.
6. Distinguish between riot and affray.

[P.T.O.]



**PART C — (5 × 4 = 20 marks)**

7. Write short notes on FIVE of the following:
- (a) Conspiracy
  - (b) Kehar Singh V. Delhi Administration AIR 1988.SC 1883.
  - (c) Unnatural offences
  - (d) Mock marriages or deceitful marriages
  - (e) Bas Dev V. State of pepsu AIR 1956 SC 488
  - (f) Common Intention
  - (g) Attempt.

**PART D — (2 × 6 = 12 marks)**

Answer TWO of the following by referring to the relevant provisions of law and decided cases. Give cogent reasons.

8. 'A' begins to unloose the muzzle of a ferocious dog, intending or knowing it to be likely that he may thereby causes 'Z' to believe that he is about to cause the dog to attack 'Z'. What offence 'A' has committed? Decide.
9. 'A' is a warehouse – keeper. 'Z' going on a journey entrusts his furniture to 'A', under a contract that it shall be returned on payment of a certain sum for warehouse – room. 'A' dishonestly sells the goods. Decide the liability of 'A' under criminal law.
10. 'A', a surgeon, in good faith, communicates to a patient his opinion that he cannot Live. In the consequence the patient dies due to shock. Whether 'A' has committed any offence – Decide.

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H 1144

H31E/H31E

**L.L.B. (Hons.)/B.L. (Hons.) DEGREE (SEMESTER) EXAMINATIONS,  
MAY 2016.**

(For the candidates admitted from 2011 to 2015)

First Year – First Semester

**FAMILY LAW – I**

Time : 2½ hours

Maximum : 70 marks

**PART A — (2 × 12 = 24 marks)**

Answer TWO of the following in about 500 words each.

1. What are the conditions of a valid marriage under the Hindu Marriage Act, 1955?
2. Examine the rights of a divorced Muslim wife to seek maintenance from her husband.
3. 'The Indian (Amendment) Divorce Act, 2001 has radically changed the Indian Divorce Act, 1869' – Discuss.

**PART B — (2 × 7 = 14 marks) .**

Answer TWO of the following in about 300 words each.

4. Examine the status of Hindu Woman to adopt a child under Hindu Adoption and Maintenance Act, 1956.
5. What is meant by judicial separation? Discuss the grounds for judicial separation under Hindu Marriage Act, 1955.
6. Critically examine the importance of the Special Marriage Act, 1954.

[P.T.O.]

PART C - (5 × 4 = 20 marks)

7. Write short notes on FIVE of the following :
- (a) Modern Sources of Hindu Law.
  - (b) Iddat period.
  - (c) Khula and Mubarat.
  - (d) Restitution of conjugal rights.
  - (e) Muta marriage.
  - (f) Seema V. Aswani kumar.
  - (g) Prompt and deferred dower.

PART D - (2 × 6 = 12 marks)

Answer TWO of the following by referring to relevant provisions of law and decided cases. Give cogent reasons.

8. Abdul marries Zarina, subsequently, nearly after ten years, he married Fathima. Zarina leaves his company and filed a suit for maintenance under sec. 125 Cr.P.C. Abdul defended that he is permitted to marry upto four wives under Muslim Personal Law. Decide.
9. Wife and husband immediately after marriage started living together with the husband's parents in the ground floor of their house. Due to some misunderstanding later on wife and husband alone started living in the first floor of the house. When their relationship got strained, the wife left to her parents house. After few months she came back to husbands house, it was locked so as not to allow the wife inside. The wife filed a suit for mandatory injunction directing the respondents to allow her to reside in the house. Decide.
10. 'A' hindu male married 'B' hindu female. 'B' was pregnant at the time of marriage, which 'A' was unaware. After 2 months when 'A' came to know about the pregnancy of 'B', he approached the court to nullify the marriage. Advise.

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H 1153

H31F/H31F

B.L. (Hons.)/LL.B (Hons.) DEGREE (SEMESTER) EXAMINATIONS,  
MAY 2016.

(For the candidates admitted from 2011 to 2015)

First Year — First Semester

LEGAL METHODS

Time :  $2\frac{1}{2}$  hours

Maximum : 70 marks

PART A — (2 × 12 = 24 marks)

Answer TWO of the following in about 500 words each.

1. "Legal methods reflects the foundational values of acquiring the skills to internalise and institutionalise the philosophy of Law" — Examine.
2. Define Justice. Explain the significance of Judicial Methods.
3. Define Legal Research. Enumerate the components of synopsis in the Context of Research Design.

PART B — (2 × 7 = 14 marks)

Answer TWO of the following in about 300 words each.

4. Explain the utility of Section 3 of the General Clauses Act, 1897.
5. Examine the merits and demerits of Non-Empirical Research in Law.
6. Trace the role of Law Commission of India in the context of Progressive Development of Laws.

PART C — (5 × 4 = 20 marks)

7. Write short notes on FIVE of the following :
  - (a) Principle of Good Faith in Interpretation.
  - (b) Common law and Civil law.

[P.T.O.]

- (c) Delegated legislation.
- (d) Stare Decisis.
- (e) Logical Reasoning.
- (f) Socio-legal Research.
- (g) Bye-laws.

**PART D** — (6 × 2 = 12 marks)

Answer SIX of the following very briefly.

8. (a) Digital library.
- (b) Custom.
- (c) Hypothesis.
- (d) Footnotes.
- (e) Ordinances.
- (f) Precedent.
- (g) Questionnaire.
- (h) Texts of law and texts about law.
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H 1067

H3IG/H32A

**B.L. (Hons.)/LL.B. (Hons.) DEGREE (SEMESTER) EXAMINATIONS,  
MAY 2016**

(For the candidates admitted from 2011 to 2015)

First Year — Second Semester

**CONTRACTS — II**

Time : 2½ hours

Maximum : 70 marks

**PART A — (2 × 12 = 24 marks)**

Answer TWO of the following in about 500 words each.

1. State the importance of the concept of coextensive liability with reference to a contract of guarantee
2. What are the rights and duties of a pledgor and pledgee in a contract of pledge?
3. Discuss the relevance of 'Election' in a partnership firm where a minor is a partner.

**PART B — (2 × 7 = 14 marks)**

Answer TWO of the following in about 300 words each.

4. Explain the ways in which an agency contract can be terminated.
5. State the rights and duties of an indemnity holder in an indemnity contract.
6. Discuss the importance and relevance of the doctrine of caveat Emptor Principle.

**PART C — (5 × 4 = 20 marks)**

7. Write short notes on FIVE of the following :
  - (a) Substitute Agent.
  - (b) Hire Purchase Agreement.
  - (c) Undisclosed principal.
  - (d) Unpaid seller.

[P.T.O.]

- (e) Hypothecation.
- (f) Agent's Lien.
- (g) Continuing guarantee.

**PART D — (2 × 6 = 12 marks)**

Answer TWO of the following by referring to the relevant provisions of Law and decided cases. Give cogent reasons.

8. "A" takes a product from "B" by paying 50% of the total cost. "A" breaches the promise of making the remaining payment. In the meantime "A", pledges the goods to "C". Decide the rights of "B".
9. "X" is a partner of a firm and "X" starts, writing letters against the firm to their creditors and clients. The other partners decide to keep 'X' away from the working of the firm. "X" sues the firm by stating that he has the right in the working of the firm. Decide.
10. "A" agrees to be a surety for "B", a debtor, for whom "C" is a creditor. Later on "C" discharges "A" from the surety agreement without the consent of 'B'. Decide the liability of "B".

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H 1084

H3IH/H32B

**B.L. (Hons.)/LL.B. (Hons.) DEGREE (SEMESTER) EXAMINATIONS,  
MAY 2016.**

(For the candidates admitted from 2011 to 2014)

First Year — Second Semester

**CONSTITUTIONAL LAW — I**

Time : 2½ hours

Maximum : 70 marks

**PART A — (2 × 12 = 24 marks)**

Answer TWO of the following in about 500 words each.

1. Critically examine the concept of rule of law enshrined under the Indian Constitution.
2. Explain the Supreme Court guidelines for determining the reasonableness of a restriction imposed on individual freedom guaranteed under Art. 19 (1).
3. Analyse the Constitutional safeguards provided for minorities in India.

**PART B — (2 × 7 = 14 marks)**

Answer TWO of the following in about 300 words each.

4. Discuss the development of basic structure doctrine from Kesavanandha Bharati case to I.R. Coelho case.
5. Examine the importance of Constitutional conventions under the Indian constitution.
6. Discuss the doctrine of Eclipse with the help of decided case laws.

**PART C — (5 × 4 = 20 marks)**

7. Write short notes on FIVE of the following :
  - (a) Creamy layer
  - (b) Latimer House principle
  - (c) Double Jeopardy
  - (d) Preventive detention

[P.T.O.]



- (e) Right to vote
- (f) Quo-warranto
- (g) Termination of Citizenship.

**PART D — (2 × 6 = 12 marks)**

Answer TWO of the following by referring to the relevant provisions of law and decided cases. Give cogent reasons.

8. A sixteen years old boy committed Rape, which is a heinous crime punishable under law. A criminal case is registered against that boy. The Juvenile Justice (Care and Protection of Children) Act has fixed 18 years as upper age limit for treating persons as Juveniles. Discuss the legality of such criminal complaint.
9. The wife filed a petition for dissolution of marriage on the ground of cruelty and adultery against her husband. The husband also asserted that his wife had adulterous affairs with some other person which resulted in family way. The pregnancy of wife was terminated and the records and slides of gestation were preserved in hospital. The husband filed an application for seeking DNA test of said slides so as to ascertain the paternity of the foetus. The wife claimed that it is infringement of her right to privacy. Decide.
10. A large number of people migrated to India from a neighbouring country and settled here for the past thirty years. They have raised their families in the state, their children were born here and have developed close social, religious, and economic ties. A student union from the state where they settled had threatened to expel them from the state as these migrants were grabbing all the benefits to be enjoyed by the natives. The National Human Rights Commission in India was compelled to approach the court to tackle the problem. – Decide.

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H 1109

H32C/H3II

LL.B., (Hons.)/B.L. (Hons.) DEGREE (SEMESTER) EXAMINATION,  
MAY 2016.

(For the candidates admitted from 2011 to 2015)

First Year — Second Semester

PROPERTY LAW

Time : 2½ hours

Maximum : 70 marks

PART A — (2 × 12 = 24 marks)

Answer TWO of the following in about 500 words each.

1. "The right conferred by Sec 53-A is a right available only to the defendant to protect his possession" – Discuss.
2. Discuss the rights and liabilities of lessor and lessee.
3. What are the requirements of a prescriptive easement? Compare it with customary easement.

PART B — (2 × 7 = 14 marks)

Answer TWO of the following in about 300 words each.

4. Explain the principle relating to transfer of property in favour of unborn person.
5. Define gift and discuss the circumstances under which a gift can be suspended or revoked.
6. "The foundation of the doctrine of Election is that a person taking the benefit of an instrument must also bear the burden" – Discuss.

PART C — (5 × 4 = 20 marks)

7. Write short notes on FIVE of the following
  - (a) Immovable property.
  - (b) Restrictive covenant.
  - (c) Rosher V. Rosher.
  - (d) Distinguish Mortgage by conditional sale and English Mortgage.

[P.T.O.]

- (e) Notice to quit.
- (f) Doctrine of cypres.
- (g) Quasi-Easement.

**PART D — (2 × 6 = 12 marks)**

Answer TWO of the following by referring to the relevant provisions of law and decided cases. Give cogent reasons.

8. 'A' intended to transfer his property to 'B' for life, then to B's son, 'C' an unborn for life then to C's son 'D' absolutely. Discuss the validity of the transfer.
9. 'A' lets her house property to 'B' on 10.2.2014 for 2 years. The rent is agreed to be payable on 5<sup>th</sup> day of every month. During tenancy 'A' wish to evict 'B' by giving notice on 10<sup>th</sup> September 2015. Can he succeed in evicting 'B'?
10. Rahul and Shahid, mutually transferred their property of unequal values. Will it amount to exchange?

H 1128

H3IJ/H32D

**B.L. (Hons.)/LL.B. (Hons.) DEGREE (SEMESTER) EXAMINATIONS,  
MAY 2016.**

(For the candidates admitted from 2011 to 2015)

First Year — Second Semester

**FAMILY LAW — II**

Time : 2½ hours

Maximum : 70 marks

**PART A — (2 × 12 = 24 marks)**

Answer TWO of the following in about 500 words each.

1. "Hindu Succession Act, 1956 is considered to be the Magna Carta in respect of Hindu Women's property rights" – Explain.
2. Describe the powers and duties of an executor and the administrator under the Indian Succession Act, 1925.
3. "A Mohammedan testator has a limited power of disposition by will" – Comment.

**PART B — (2 × 7 = 14 marks)**

Answer TWO of the following in about 300 words each.

4. Define Wakf and point out the essentials of Wakf.
5. Discuss the legislative changes brought about by the Hindu Succession Act in regard to the grounds of disqualification from inheritance.
6. State the principles governing the execution of privileged wills.

**PART C — (5 × 4 = 20 marks)**

7. Write short notes on FIVE of the following :
  - (a) Agnates
  - (b) Doctrine of pious obligation
  - (c) Hiba-bil-iwaz
  - (d) Mutawalli
  - (e) Conditional bequest
  - (f) Succession certificate
  - (g) Pre-emption.

[P.T.O.]

**PART D — (2 × 6 = 12 marks)**

Answer TWO of the following by referring to relevant provisions of law and decided cases. Give cogent reasons.

8. A Hindu female dies intestate leaving her mother, husband, son of predeceased son and son of predeceased daughter. Distribute her property among her heirs.
9. A Hanafi Muslim dies leaving his wife, 2 full sisters, mother and father. Divide the estate among them.
10. A Christian male dies leaving his mother, two sons and two daughter of predeceased daughter. Divide his property among his heirs.

(21)

Register No.

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H 1145

H32E/H31K

LL.B. (Hons.) /B.L.(Hons) DEGREE (SEMESTER) EXAMINATIONS,  
MAY 2016.

(For the Candidates admitted from 2011 to 2015)

First Year — Second Semester

HUMAN RIGHTS LAW

Time :  $2\frac{1}{2}$  hours

Maximum : 70 marks

PART A — (2 × 12 = 24 marks)

Answer TWO of the following in about 500 words each.

1. Examine the rights of children and woman under International Human Rights Law.
2. Examine the role of Regional Organisations to promote and protect human rights.
3. Discuss about the three generations of human rights and bring out the importance of first generation human rights.

PART B — (2 × 7 = 14 marks)

Answer TWO of the following in about 300 words each.

4. Examine the role of Supreme Court of India to promote human rights in India.
5. Briefly state the Indian legal mechanism against 'racial discrimination' and 'caste discrimination'.
6. Examine the power and functions of NHRC.

PART C — (5 × 4 = 20 marks)

7. Write short notes on FIVE of the following:
  - (a) Human Rights Theories.
  - (b) UN High Commissioner for Human Rights.

[P.T.O.]

- (c) Minority Rights.
- (d) Human Rights Courts
- (e) Slavery
- (f) Torture
- (g) Rights of disabled

**PART D — (2 × 6 = 12 marks)**

Answer TWO of the following by referring to the relevant provisions of law and decided cases. Give cogent reasons.

8. Ms.X is a tribe. Her husband was killed by terrorist for supporting the police forces. She was displaced from forest due to danger for her life. But she was not provided with any support. she writes to NHRC. Decide.
9. Ms.Vedika is an actress. A particular journal continuously writes defamatory statements against her due to personal vengeance. She approaches High court to protect her dignity. Decide.
10. Mr. 'R' is a sexual minority. He was denied voting rights due to his sexual identity or orientation. He approaches NHRC. Decide.

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H 1068

H3JA

**B.L., (Hons.) DEGREE (SEMESTER) EXAMINATIONS, MAY 2016.**

(For the candidates admitted from 2011 to 2014)

Second Year — Third Semester

**CONSTITUTIONAL LAW — II**Time :  $2\frac{1}{2}$  hours

Maximum : 70 marks

**PART A — (2 × 12 = 24 marks)**

Answer TWO of the following in about 500 words each.

1. "Indian Constitution is federal at the time of peace and unitary in emergency" — Explain.
2. Discuss the constitutional provisions of the President of India. Can he withhold a legislative bill passed by both the houses of Parliament? Illustrate your answer with the help of provisions of the Constitution of India.
3. Explain in detail with the help of decided cases the powers, privileges and immunities of the Members of Parliament.

**PART B — (2 × 7 = 14 marks)**

Answer TWO of the following in about 300 words each.

4. Write a critical note on powers, functions and responsibilities of a Governor.
5. Explain the provisions related to judicial accountability.
6. Discuss the financial relationship between the Centre and States.

**PART C — (5 × 4 = 20 marks)**

7. Write short notes on FIVE of the following :
  - (a) Internal disturbance.
  - (b) Anti-defection law.
  - (c) Federal State.
  - (d) Judicial Review.

[P.T.O.]



- (e) Special Status of Jammu and Kashmir.
- (f) Collective Responsibility.
- (g) Doctrine of Pleasure.

**PART D — (2 × 6 = 12 marks)**

Answer TWO of the following by referring to the relevant provisions of law and decided cases. Give cogent reasons.

8. A statutory corporation under the State is assessed to Income-Tax and forced to pay the tax. The corporation contends that it is entitled to exemption from Union tax legislation on the ground that it is an instrumentality of the State. Decide.
9. 'X' is a member of ECI. He was dismissed from service without holding departmental enquiry by the authority who exercised the power under the provisions of Constitution of India. Advice 'X'.
10. A State enacted a legislation on Mining Areas Development Fund Act, levying a cess on all extracted minerals for the better development of mining areas. Later on Parliament enacted Mines and Minerals (Regulation and Development) Act. Decide the validity of the Act with the help of decided cases.

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H 1085

H3JB

**B.L. (Hons.) DEGREE (SEMESTER) EXAMINATIONS, MAY 2016.**

(For the candidates admitted from 2011 to 2014)

Second Year — Third Semester

**LABOUR LAW - I**

Time : 2½ hours

Maximum : 70 marks

**PART A — (2 × 12 = 24 marks)**

Answer TWO of the following in about 500 words each.

1. Analyse the evolutionary concept of Labour Legislation with the changing concept of master and servant relationship to that of Employer and Employee relationship in maintenance of industrial peace and harmony.
2. Discuss about the privileges and immunities that are available for a registered Trade Union under the Trade Union Act of 1926.
3. Define "Industry" and examine the nature of its widening concept via various judicial decisions in India.

**PART B — (2 × 7 = 14 marks)**

Answer TWO of the following in about 300 words each.

4. Examine the definition of the word "Standing Order" and analyse the procedure adopted under 1946 Act for "Certification of Standing Orders".
5. Analyse the meaning of the word "Deduction" and discuss the authorised deductions as per the Payment of Wages Act 1936.
6. "Strikes and Lockouts are subject to certain rules as contained in the provisions of ID Act for Public Utility Services...". Discuss.

**PART C — (5 × 4 = 20 marks)**

7. Write short notes on FIVE of the following.
  - (a) Lock-out and Closure.
  - (b) Works committees and Joint Management Council

[P.T.O.]

- (c) Fair wages
- (d) ILO
- (e) Deducting Theory of Wages
- (f) Political fund of Trade Union
- (g) Conciliation officers.

**PART D — (2 × 6 = 12 marks)**

Answer TWO of the following by referring to the relevant provisions of law and decided cases. Give cogent reasons.

8. An association was created by the authors and proprietors of Dramatic works. They decided to work towards acquiring more business and deal in the interest of its members. Decide as to whether the said association is a Trade Union or not as per the Trade Union Act 1926.
9. 'A', a workman, was retrenched from services by the employer's oral orders. 'A' challenged its validity. Advise on the essentials of a valid retrenchment as per the Industrial Disputes Act 1947.
10. Standing orders of the Company provided for the termination of service for the absence without leave for 14 consecutive days. On being taken into police custody, 'X' applied for leave and his leave was refused. He was discharged from his service. Analyse the validity of his dismissal by the management as per the Industrial Employment (Standing Orders) Act, 1946.

Register No.

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H 1110

H3JC

**B.L. (Hons.) DEGREE (SEMESTER) EXAMINATION, MAY 2016.**

(For the candidates admitted from 2011 to 2014)

Second Year – Third Semester

**PUBLIC INTERNATIONAL LAW**

Time : 2½ hours

Maximum : 70 marks

**PART A — (2 × 12 = 24 marks)**

Answer TWO of the following in about 500 words each.

1. "Every international wrongful act of a State entails international responsibility of that State" – Elucidate.
2. Explain State Succession. What are the rights and obligations that are transferred to the successor State?
3. Describe the rights of the Coastal State in the 'Continental Shelf' and the 'Exclusive Economic Zone'.

**PART B — (2 × 7 = 14 marks)**

Answer TWO of the following in about 300 words each.

4. Enumerate the various modes of acquiring and losing Nationality.
5. Examine the scope of Advisory Jurisdiction of International Court of Justice.
6. Describe the distinction between Recognition of State and Recognition of Government.

**PART C — (5 × 4 = 20 marks)**

7. Write short notes on FIVE of the following :
  - (a) Monism
  - (b) Statelessness
  - (c) Stimson Doctrine

[P.T.O.]

- (d) Vassal State
- (e) Domestic Jurisdiction
- (f) Trial Smelter Arbitration Case
- (g) Ex Aequo et bono.

**PART D — (2 × 6 = 12 marks)**

Answer TWO of the following by referring to the relevant provisions of law and decided cases. Give cogent reasons.

8. 'R' a merchant ship belonging to state 'A' collided in the Contiguous Zone with another ship 'M' belonging to state 'B' which was not carrying the lights as required by the laws which has resulted in huge loss. State 'B' brings a claim for damages against state 'A'. Is it sustainable? Decide.
9. Mr. Renolt, a national of state 'V' Committed murder of Mr. Valier, who is a merchant in the state 'V' and then escapes to state 'R'? State 'V' and 'R' does not hold good relationship. Decide the options available for state 'V' to get back Mr. Renolt.
10. State 'A' and 'B' had boundary disputes for several decades and had refrained from all diplomatic relations. When the aircraft of state 'A' flew across state 'B', it was shot down by state 'B'. Decide the available remedies for state 'A'.

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H 1129

H3JD

**B.L. (Hons.) DEGREE (SEMESTER) EXAMINATIONS,  
MAY 2016.**

(For the candidates admitted from 2011 to 2014)

Second Year — Third Semester

**BANKING LAW**

Time :  $2\frac{1}{2}$  hours

Maximum : 70 marks

**PART A — (2 × 12 = 24 marks)**

Answer TWO of the following in about 500 words each.

1. Explain the salient features of Negotiable Instruments Act by referring to recent amendments and Judicial Perspectives.
2. State the powers, functions and duties of Debt Recovery Appellate Tribunal.
3. What are the powers and functions of RBI under Securitisation Act?

**PART B — (2 × 7 = 14 marks)**

Answer TWO of the following in about 300 words each.

4. Explain the role of a recovery officer in Debt Recovery Tribunal.
5. State the various kinds of Crossing of Cheques.
6. Explain the constraints faced in E-banking regulation.

**PART C — (5 × 4 = 20 marks)**

7. Write short notes on FIVE of the following :
  - (a) Collecting banker.
  - (b) Currency chest.
  - (c) Plastic money.
  - (d) Phishing.

[P.T.O.]

- (e) Non-banking Financial Institutions.
- (f) Consumer perspective in Banking.
- (g) Fixed Deposits.

**PART D — (2 × 6 = 12 marks)**

Answer TWO of the following by referring to the relevant provisions of law and decided cases. Give cogent reasons.

8. RBI issues guidelines to reduce interest for commercial banks. But the commercial banks refuses to reduce the interest rate as instructed by RBI. The RBI gives notice for cancelling the license of such defaulting banks. The association for all India Pvt. Bank challenges the notice. Decide.
9. "X" is a Internet Banking Customer who receives an E-mail from bank employee who requires his personal sensitive information regarding his Internet Bank Account. "X" sends the information by marking it confidential. But the employees e-mail was hacked and "X" lost lot of money. Decide the liability of "X".
10. "A" deposit 30 sovereigns of golds as a collateral security and attains a loan. The loan was repayed and the bank was required to return the gold. But the bank did not return the gold and said it was stolen. Decide.

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H 1146

H3JE

**B.L. (Hons) DEGREE (Semester) EXAMINATIONS, MAY 2016.**

(For the candidates admitted from 2011 to 2014)

Second Year — Third Semester

**INTELLECTUAL PROPERTY LAW**

Time : 2½ hours

Maximum : 70 marks

**PART A — (2 × 12 = 24 marks)**

Answer TWO of the following in about 500 words each.

1. Discuss the basic principles and objectives of TRIPS agreement.
2. Discuss the various grounds for refusal of registration of Trade Mark.
3. What are the essentials of a design? Explain about registration of design and restoration of lapsed designs.

**PART B — (2 × 7 = 14 marks)**

Answer TWO of the following in about 300 words each.

4. Discuss the 'doctrine of fair use' with the help of decided cases.
5. Discuss the grounds under which the compulsory license can be granted under the Indian Patent Act, 1970.
6. Distinguish between Infringement action and passing-off action under the Trade Mark Act. Refer to decided cases.

**PART C — (5 × 4 = 20 marks)**

7. Write short notes on FIVE of the following :

- (a) Moral Rights under Copyright Act.
- (b) Define Geographical Indication.
- (c) Novelty under Patent Act.
- (d) Work of joint authorship under Copyright Act.
- (e) Cyber Squatting.
- (f) Farmer's Right.
- (g) IPAB

[P.T.O.]



PART D — (2 × 6 = 12 marks)

Answer TWO of the following by referring to the relevant provisions of law and decided cases. Give cogent reasons

8. Nirma Dental Care Products Ltd, introduced a multi utility designed tooth brush consisting of a distinctive aesthetic shaped handle and head with a flexible portion between head and the handle. Nirma Dental care Products Ltd applied for the registration of the designs with the authorities. This was challenged by Bharat Lever Ltd. a competitor, on the ground that, it is a pure and simple functional feature without Novelty. Decide.
9. Madras Institute of Medical Science invented a drug for Cancer and obtained Patent for the same. After two years, one 'Jyothi', pharmaceutical, Industry started to produce the same drug without getting permission from the owner, Madras Institute of Medical Science. The owner filed a case against Jyothi Pharmaceutical Industry for getting remedy. Decide.
10. Mr. Balan registered a Trade Mark for his salt business as 'TESTA'. Some years later, one Mr. Rayan filed an application before the Trade Mark office to register a Mark for his salt biscuits industry as 'TEESTA'. Mr. Balan wants to oppose the registration. Advice him.

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H 1075

**B.L. (Hons.) DEGREE (SEMESTER) EXAMINATIONS, MAY 2016.**

(For the candidates admitted from 2011 to 2014)

Second Year – Fourth Semester

**COMPANY LAW**

Time :  $2\frac{1}{2}$  hours

Maximum : 70 marks

**PART A — (2 × 12 = 24 marks)**

Answer TWO of the following in about 500 words each.

1. "The courts will not, in general, intervene at the instance of shareholders in matters of internal administration of the company" – Discuss this rule with its exceptions.
2. "The role of the corporation in the modern society is something different from what it was in the previous century and so the role of directors of today's corporation has also drastically changed" – Discuss.
3. The doctrine of ultra vires is applied to delimit and identify the objects clause and confine the corporate activities – Explain with decided cases.

**PART B — (2 × 7 = 14 marks)**

Answer TWO of the following in about 300 words each.

4. Define Prospectus and discuss the golden rule for framing the Prospectus.
5. Explain the provisions relating to payment of dividend in a company.
6. Define floating charge and explain when crystallization of floating charge takes place.

[P.T.O.]

PART C — (5 × 4 = 20 marks)

7. Write short notes on FIVE of the following
- (a) Oppression and mismanagement
  - (b) Alteration of memorandum
  - (c) Doctrine of constructive notice.
  - (d) Insider trading.
  - (e) Corporate Social Responsibility.
  - (f) Issue of shares at discount.
  - (g) Transfer and transmission of shares.

PART D — (2 × 6 = 12 marks)

Answer TWO of the following by referring to the relevant provisions of law and decided cases. Give cogent reasons.

8. In a company's articles two directors constituted a quorum for a meeting of the board. Two were present and they appointed one of themselves as managing director and co-editor of the paper run by the company. Decide whether the appointments are valid.
9. The directors of a company had, by two resolutions, resolved to make a call. But neither resolution specified the date and the amount of payment. The blanks were subsequently filled by the secretary who sent a notice of call to 'X'. Decide whether the call notice is valid.
10. Two companies A and B were in rivalry. The majority of the members of company, 'A' were also members of company 'B'. Company 'A' had commenced an action against company 'B'. At a meeting of company 'A', the majority passed a resolution to compromise the action in a manner favourable to company 'B' and unfavourable to 'A'. The minority shareholders file a suit. Decide.

Register No.

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H 1098

H3JH

## B.L. (Hons.) DEGREE (SEMESTER) EXAMINATIONS, MAY 2016.

(For the candidates admitted from 2011 to 2014)

Second Year — Fourth Semester

## LABOUR LAW — II

Time : 2½ hours

Maximum : 70 marks

## PART A — (2 × 12 = 24 marks)

Answer TWO of the following in about 500 words each.

1. "Social Security represents society's current answer to the problem of economic security" - Discuss.
2. Examine the conditions necessary to make the employer liable under the Employee's compensation Act, 1923 with the help of decided case laws.
3. Enumerate the provisions regulating the employment of women and young persons under the Factories Act, 1948.

## PART B — (2 × 7 = 14 marks)

Answer TWO of the following in about 300 words each.

4. Discuss the various benefits provided to the labourers under the Employee's State Insurance Act, 1948.
5. Examine the powers and functions of commissioner under the Employees Provident Funds and Miscellaneous Provisions Act, 1952.
6. Explain the benefits conferred on women worker under the Maternity Benefits Act, 1961.

## PART C — (5 × 4 = 20 marks)

7. Write short notes on FIVE of the following:
  - (a) Continuous service
  - (b) Manufacturing process
  - (c) Employee's Insurance Court
  - (d) Compulsory insurance

[P.T.O.]

- (e) Accounting year
- (f) Production linked bonus
- (g) Employment of young persons under the Tamil Nadu Shops and Establishments Act, 1947.

**PART D — (2 × 6 = 12 marks)**

Answer TWO of the following by referring to the relevant provisions of law and decided cases. Give cogent reasons.

8. Rene, a bus driver employed by a textile company was allowed to travel free on employer's buses. Rene while returning after his duty by the bus provided by his employer collided with other bus and Rene was thrown out of the bus and died. His widow claimed compensation. But the employer contended that there is no nexus between the death and employment – Decide.
9. On an establishment 6 workers were engaged for the preparation of pickles, chutney and dhal with the help of mixies and grinders. On the same establishment 4 workers have been engaged for packing the food items. Is this establishment a factory?
10. Rangu worked in TSB company for 8 years as trainee and resigned. The employer did not pay for the gratuity on the contention that trainee is not an employee of the company and hence he is not entitled to gratuity – Decide.

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H 1119

H3JI

**B.L. (Hons.) DEGREE (SEMESTER) EXAMINATION,  
MAY 2016**

(For the candidates admitted from 2011 to 2014)

Second Year — Fourth Semester

**LAW OF EVIDENCE**

Time : 2½ hours

Maximum : 70 marks

**PART A — (2 × 12 = 24 marks)**

Answer TWO of the following in about 500 words each.

1. "Secondary evidence can be permitted to be adduced only after non-production of primary evidence is satisfactorily accounted for" — Examine the circumstances.
2. Explain the stages of examination of witnesses and when leading questions may be asked.
3. Examine the maxim "Omnia praesumuntur rite esse acta" with reference to the documents.

**PART B — (2 × 7 = 14 marks)**

Answer TWO of the following in about 300 words each.

4. Explain the rules regarding retracted confession with decided cases.
5. "Primary evidence is a best evidence" — Critically examine.
6. State the facts which need not be proved.

**PART C — (5 × 4 = 20 marks)**

7. Write short notes on FIVE of the following :
  - (a) Ancient documents
  - (b) Burden of proof
  - (c) Extra-Judicial confession
  - (d) Previous judgement may be relevant

[P.T.O.]

- (e) Handwriting expert
- (f) Accomplice
- (g) Privilege of witness.

**PART D** -- (2 × 6 = 12 marks)

Answer TWO of the following by referring to the relevant provisions of Law and decided cases. Give cogent reasons.

8. The death of 'A' was caused by Poison. 'Z', the expert who gives his opinion about the poison. Decide the relevancy of evidence to the cause of death.
9. 'A' is charged with theft and with having been previously convicted of theft. Whether his previous conviction is relevant under Evidence – Decide.
10. 'A' sues 'B' for money due on a bond. The court admitted the execution of the bond but 'B' says that it was obtained by fraud in which A denies. Decide the burden of proof.

(37)  
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H 1138

H3JJ

B.L. (Hons.) DEGREE (SEMESTER) EXAMINATIONS, MAY 2016.

(For the candidates admitted from 2011 to 2014)

Second Year — Fourth Semester

**LAW OF INSURANCE**

Time : 2½ hours

Maximum : 70 marks

**PART A — (2 × 12 = 24 marks)**

Answer TWO of the following in about 500 words each.

1. Examine the essentials of an insurance contract.
2. Examine the reliefs available to an insured against forfeiture of life insurance policy.
3. Trace the principle of "Total loss and constructive total loss" in marine insurance.

**PART B — (2 × 7 = 14 marks)**

Answer TWO of the following in about 300 words each.

4. Discuss the principle of 'insurable interest' in life insurance contract.
5. Define 'fire' in the contract of insurance.
6. Write a note on "Subrogation".

**PART C — (5 × 4 = 20 marks)**

7. Write short notes on FIVE of the following :

- (a) IRDA
- (b) Uberrimae fidei
- (c) Third party liability
- (d) Kinds of marine policies
- (e) 'Proximate cause' in fire policy
- (f) Term policy in life insurance
- (g) Wagering contract.

[P.T.O.]



PART D — (2 × 6 = 12 marks)

Answer TWO of the following by referring to the relevant provisions of law and decided cases. Give cogent reasons.

8. The Plaintiff insured his goods subjected to marine voyage on 06.01.2015. He received cover note by 07.01.2015. The goods were damaged by an insured peril on 08.01.2015 before the issue of the policy document. Whether insurer is liable? Decide.
9. Mr. 'X' has taken some insurance policies before committing suicide. He is an Indian and the policy is insured with an Indian company. The policy document did not contain any reference to Felo de se. Decide on the claim of legal heirs.
10. Mr. 'X' purchased a vehicle and he never insured his vehicle. He met with an accident. The victim of that accident files a case against Mr. 'X'. Decide his liability under Indian laws.

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H 1150

H3JK

**B.L. (Hons.) DEGREE (SEMESTER) EXAMINATIONS,  
MAY 2016.**

(For the candidates admitted from 2011 to 2013)

Second Year — Fourth Semester

**MARITIME LAW**

Time : 2½ hours

Maximum : 70 marks

**PART A — (2 × 12 = 24 marks)**

Answer TWO of the following in about 500 words each.

1. Explain the concept of "Continental Shelf" with relevant cases.
2. Elaborate the protection and preservation of Marine Environment under the Maritime Laws.
3. Discuss the historical background of Right to Navigation of States in the Sea.

**PART B — (2 × 7 = 14 marks)**

Answer TWO of the following in about 300 words each.

4. Floating Island Theory – Explain.
5. Analyse the concept of Innocent passage through Territorial Sea.
6. S.S. Lotus Case – Discuss.

**PART C — (5 × 4 = 20 marks)**

7. Write short notes on FIVE of the following :
  - (a) High Seas.
  - (b) International Sea-Bed Area.
  - (c) Saint Vincent – Vs – Guinea Case.
  - (d) Common Heritage of Mankind.
  - (e) Concept of Territorial Sovereignty.
  - (f) India's position on Contiguous Zone.
  - (g) Archipelagos.

[P.T.O.]

PART D — (2 × 6 = 12 marks)

Answer TWO of the following by referring to relevant provisions of law and decided cases. Give cogent reasons.

8. The survey ships of Myanmar conducted survey work at St. Martin's Island which was claimed by Bangladesh. Decide the case.
9. "Jack" was the Captain of a German Steamer "Franconia". He was convicted by a Lower British Court for the death of a passenger caused by collision Jack appeals. Decide.
10. War broke out between North Korea and South Korea. Militants of North Korea entered into the Merchant Ship of Japan. Fix the responsibility of these States.

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H 1069

H3KA

**B.L. (Hons.) DEGREE (SEMESTER) EXAMINATIONS, MAY 2016.**

(For the candidates admitted from 2011 to 2013)

Third Year — Fifth Semester

**ADMINISTRATIVE LAW**

Time : 2½ hours

Maximum : 70 marks

**PART A — (2 × 12 = 24 marks)**

Answer TWO of the following in about 500 words each.

1. Define Administrative Law. Describe the reasons for growth of Administrative Law in India.
2. Describe how far the Writ of Mandamus and Writ of Certiorari are employed to check the administrative discretion. Refer to decided cases.
3. Examine how far the State is liable for the tortious acts of its servants.

**PART B — (2 × 7 = 14 marks)**

Answer TWO of the following in about 300 words each.

4. Explain the relationship between administrative law and Constitutional law in India.
5. Examine the limitations for delegated legislation in India.
6. Describe the application of promissory estoppel in administrative proceedings.

**PART C — (5 × 4 = 20 marks)**

7. Write short notes on FIVE of the following :
  - (a) Droit administratif.
  - (b) Henry VIII clause.
  - (c) Conditional legislation.

[P.T.O.]

- (d) Legitimate expectation.
- (e) Domestic tribunal.
- (f) Queen – Vs – Burah.
- (g) Chintaman Rao – Vs – State of M.P.

PART D — (2 × 6 = 12 marks)

Answer TWO of the following by referring to the relevant provisions of law and decided cases. Give cogent reasons.

8. The Punjab government appointed a committee to select book for supplying all the government aided schools and colleges in the State. Some of the members of the committee were themselves authors of some text books, were selected for purchasing. A bidding publisher challenges the decision of the committee. Decide.
9. 'R' a government servant was compulsorily retired from service by giving three months notice under rule 56 without furnishing any reasons. 'R' challenged rule 56 as violative of Article 311 of the constitution of India. Will he succeed? Decide.
10. An interview board was constituted with 5 members including 'A's father to recruit teacher. 'A' himself a candidate for the interview. The interview was conducted on 20.04.2015 and 'A' was selected by the board without 'A' s father when he was admitted for treatment. The candidate who was not selected challenged the interview's board decision. Decide.

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H 1086

H3KB

**B.L. (Hons.) DEGREE (SEMESTER) EXAMINATIONS, MAY 2016.**

(For the candidates admitted from 2011 to 2013)

Third Year — Fifth Semester

**LAW OF CRIMES - II (CRIMINAL PROCEDURE CODE INCLUDING JUVENILE JUSTICE ACT AND PROBATION OF OFFENDERS ACT)**

Time : 2½ hours

Maximum : 70 marks

**PART A — (2 × 12 = 24 marks)**

Answer TWO of the following in about 500 words each.

1. Explain the term "First Information Report". What is its evidentiary value?
2. What are the circumstances in which a criminal trial can be disposed of without full trial?
3. Explain the salient features of the Juvenile Justice (Care and Protection of Children) Act, 2000.

**PART B — (2 × 7 = 14 marks)**

Answer TWO of the following in about 300 words each.

4. Explain the circumstance in which an arrest without warrant can be made.
5. Define and distinguish between investigation, inquiry and trial.
6. What are the duties of a probation officer? Whether the report given by the probation officer is confidential?

**PART C — (5 × 4 = 20 marks)**

7. Write short notes on FIVE of the following :

- (a) Inquest
- (b) Irregular proceedings
- (c) Judicial proceedings
- (d) Statutory bail
- (e) Appeal
- (f) Juvenile Justice Board
- (g) Suspension of sentence.

[P.T.O.]

PART D -- (2 × 6 = 12 marks)

Answer TWO of the following by referring to the relevant provisions of law and decided cases. Give cogent reasons.

8. A court of session granted an anticipatory bail to a person who has been apprehended to be arrested in respect of a Non-bailable offence. But no FIR was filed. Examine the validity of the anticipatory bail order.
  9. 'E', a woman marries 'F'. Without getting divorce from "F", during the life time of 'F', 'E' marries 'G'. Now 'H', the brother of 'G', wants to give a complaint against 'E' for bigamy. Can 'H' give a complaint? Decide.
  10. In a double murder case, on the day of judgement the advocate for the accused 'A' did not attend the court due to bad health. Even then the Session judge convicted the accused to death sentence. Accused 'A' appealed to the High Court. It confirmed the punishment. Against this 'A' wants to file a case to the Supreme Court. Decide.
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H 1111

H3KC

**B.L. (Hons) DEGREE (SEMESTER) EXAMINATION, MAY 2016.**

(For the candidates admitted from 2011 to 2014)

Third Year – Fifth Semester

**CIVIL PROCEDURE CODE**

Time : 2½ hours

Maximum : 70 marks

**PART A — (2 × 12 = 24 marks)**

Answer TWO of the following in about 500 words each.

1. "The Civil court shall try all suits of civil nature"— Explain. State the exceptions if any.
2. Explain the different modes of execution of a decree.
3. Discuss the provisions relating to suits instituted by or against government.

**PART B — (2 × 7 = 14 marks)**

Answer TWO of the following in about 300 words each.

4. Explain the provisions to appearance of parties and consequences of their non-appearance.
5. Discuss the effect of fraud on computation of period of limitations.
6. Explain the essential requisites of pleadings and describe the modes of amending the pleading.

**PART C — (5 × 4 = 20 marks)**

7. Write short notes on FIVE of the following :

- (a) Foreign judgement
- (b) Resjudicata
- (c) Caveat
- (d) Reference
- (e) Premature discovery
- (f) Garnishee
- (g) Revision.

[P.T.O.]



PART D — (2 × 6 = 12 marks)

Answer TWO of the following by referring to the relevant provisions of law and decided cases. Give cogent reasons.

8. Samuel borrowed a sum of Rs. 50,000 on a promissory note from Vivek. The promissory note was executed on 15.11.2010. Vivek died on 14-12-2010 leaving behind his son Vikram aged 15 years. Now Vikram wants to file a case against Samuel. Advise.
  9. 'A' filed a suit for declaration against 'B' on some immovable properties. During the pendency of the suit, 'B' sold the property to 'C'. In a petition filed by 'C', the trial court added him as a party to the suit. 'A' objected the inclusion. Decide.
  10. A money decree was passed against a firm in a suit in which the partners were not served individually with summons and the decree holders intends to execute the decree against the personal property. Advise the decree holder.
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H 1130

H3KD

**B.L. (Hons.) DEGREE (SEMESTER) EXAMINATIONS,  
MAY 2016.**

(For the candidates admitted from 2011 to 2014)

Third Year -- Fifth Semester

**PRIVATE INTERNATIONAL LAW**

Time : 2½ hours

Maximum : 70 marks

**PART A — (2 × 12 = 24 marks)**

Answer TWO of the following in about 500 words each.

1. Critically examine the theories of Renvoi and discuss the approach of the English courts to the doctrine of Renvoi. Refer to decided cases.
2. "The primary object of the classification of the cause of action is to reveal the relevant rule for the choice of Law" – Elucidate.
3. Explain the law relating to recognition of Foreign divorces with particular reference to decision in Indian case laws.

**PART B — (2 × 7 = 14 marks)**

Answer TWO of the following in about 300 words each.

4. Explain the significance of the theory of Acquired Rights.
5. Analyse the concept of Limitation to the rule of 'Lex situs' in Law of Property.
6. Describe the Hague Convention on procedure relating to Adoption.

**PART C — (5 × 4 = 20 marks)**

7. Write notes on FIVE of the following :
  - (a) Public International Law
  - (b) Ogden V. Ogden
  - (c) Lex Loci celebrationis.

[P.T.O.]

- (d) Satya V. Teja Singh
- (e) Maritime Tort
- (f) Inter country Adoption
- (g) Recognition of Foreign Corporations.

**PART D — (2 × 6 = 12 marks)**

Answer TWO of the following by referring to relevant provisions of law and decided cases. Give cogent reasons.

8. 'R' an English woman domiciled at Italy, by an execution of Will left all her property to her distant relatives to the exclusion of her only son. The only son challenged the validity of the Will. Decide.
9. 'R' and 'Y' Austrian domiciled couple married in Vienna. Due to internal problem in Vienna the couples fled to India without an intention to return to Austria. Decide their domicile for matrimonial proceedings.
10. 'A' and 'B', two Indian domiciled Mohammadens acquired domicile of choice in England. 'B' filed a petition for judicial separation in England. Decide.

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H 1147

H3KE

**B.L. (Hons) DEGREE (Semester) EXAMINATIONS, MAY 2016.**

(For the Candidates admitted from 2011 to 2013)

Third Year — Fifth Semester

**INTERPRETATION OF STATUTES**

Time :  $2\frac{1}{2}$  hours

Maximum : 70 marks

**PART A — (2 × 12 = 24 marks)**

Answer TWO of the following in about 500 words each.

1. "The process of interpretation in principle relies on the schools of Textualism and Purposivism" — Discuss.
2. Distinguish the rule of noscitur a sociis with that of ejusdem generis rule. Illustrate with the help of decided cases.
3. "Constitution is regarded as the living law in its form and spirit, a notion which attracts liberal form of interpretation" — Examine.

**PART B — (2 × 7 = 14 marks)**

Answer TWO of the following in about 300 words each.

4. Define mens rea. Explain the rules of interpretation of Penal statutes.
5. Explain the significance of the work of Law Commission of India in the context of amending the General Clauses Act.
6. Examine the relevance of 'Dictionary' and that of 'Foreign decisions' as extrinsic aids of interpretation.

**PART C — (5 × 4 = 20 marks)**

7. Write short notes on FIVE of the following :
  - (a) Principle of Good faith in Interpretation
  - (b) Casus Omissus
  - (c) Doctrine of Deeming Fiction in law

[P.T.O.]

- (d) Interpretation of Fiscal statutes
- (e) Ouster of Jurisdiction clause
- (f) Principle of utility
- (g) General rules of treaty interpretation.

**PART D — (2 × 6 = 12 marks)**

Answer TWO of the following by referring to relevant provisions of law and decided cases. Give cogent reasons.

8. In a case involving the interpretation of Article 21 of the Constitution of India, the court is asked to explain the phrase "his right to life...." in reference to the masculine derivative. Resolve the ambiguity by applying the relevant rules of construction.
9. A public park in its directions and prohibitions rules prescribes :  
"Eatables and Candy, Ice cream, Pop corns are strictly prohibited".  
At the time of interpretation, a question arises, as to whether the prohibition also includes 'Fruits'. Discuss.
10. In a case concerning the application of the protection of Human Rights Act, 1993 a dispute relates to the issue whether the definition of Human Rights also includes the notion of 'Human Environment'. Discuss.

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H 1076

H3KG

**B.L. (Hons.) DEGREE (SEMESTER) EXAMINATIONS, MAY 2016.**

(For the candidates admitted from 2011 to 2013)

Third Year — Sixth Semester

**ENVIRONMENTAL LAW INCLUDING ANIMAL WELFARE LAWS**

Time : 2½ hours

Maximum : 70 marks

**PART A — (2 × 12 = 24 marks)**

Answer TWO of the following in about 500 words each.

1. "The protection and preservation of human environment is a global issue and not an isolated problem of any national governments". Examine.
2. Analyse the constitutional obligations on States and citizens to protect environment between generations.
3. Define environment. Examine the remedies available against the environmental pollution under the criminal laws.

**PART B — (2 × 7 = 14 marks)**

Answer TWO of the following in about 300 words each.

4. Analyse the salient features of Stockholm Declaration on Human Environment, 1972.
5. Enumerate the power and functions of the State Pollution Control Board under the Air (Prevention and Control) Act, 1981.
6. Describe the power of central government to make rules under the Environmental Protection Act, 1986.

**PART C — (5 × 4 = 20 marks)**

7. Write short notes on FIVE of the following :

- (a) Biological Diversity
- (b) Inter Generational Equity
- (c) Environmental Laboratory
- (d) Doctrine of Public Trust

[P.T.O.]

- (e) Green Bench
- (f) Noise Pollution Rules, 2000.
- (g) S. Jagannath V. Union of India.

**PART D — (2 × 6 = 12 marks)**

Answer TWO of the following by referring to the relevant provisions of law and decided cases. Give cogent reasons.

8. Manalure Municipal Corporation gave a permission to run a flour mill in school zone. 'PEOPLE WATCH' an unregistered association filed a Public Interest Litigation on the ground that it violates Noise Pollution Rules, 2000. Decide.
9. The State of Uttar Pradesh granted a mining of limestone licence to M/s REALITY CRUSHERS. Mr. NIJLAVENN, a fourth year student of law, filed a writ for stopping mining activities. M/s REALITY CRUSHERS contended that it has got a valid licence to carry its trade or business. Is it a valid claim? Decide.
10. The North-Eastern Railways proposed to lay a new rail route through the East Coast from Chennai to Howrah. PEOPLE WATCH, an NGO objected to the new route on the ground that in certain parts of Odissa it would lead to disturb the unique biological ecosystem of Mangrove and fish-life. Decide.

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H 1099

H3KH

**B.L. (Hons.) DEGREE (SEMESTER) EXAMINATIONS, MAY 2016.**

(For the candidates admitted during 2011, 2012 and 2013)

Third Year — Sixth Semester

**LAW OF TAXATION**

Time : 2½ hours

Maximum : 70 marks

**PART A — (2 × 12 = 24 marks)**

Answer TWO of the following in about 500 words each.

1. Define Income. Explain about the income from capital gain under the Income Tax Act 1961.
2. Define wealth. Discuss about various types of wealth covered under the Wealth Tax Act 1957.
3. Examine about sale or purchase in the course of interstate sale under the Sales Tax Act 1957.

**PART B — (2 × 7 = 14 marks)**

Answer TWO of the following in about 300 words each.

4. Explain :
  - (a) Residential status.
  - (b) Total income.
  - (c) Agricultural income.
5. Discuss about the procedure for assessment under the Wealth Tax Act.
6. Distinguish Direct and Indirect Tax.

**PART C — (5 × 4 = 20 marks)**

7. Write short notes on FIVE of the following :
  - (a) VAT Authorities.
  - (b) Taxable turnover.
  - (c) Deduction under Chapter VI. A.

[P.T.O.]



- (d) Progressive taxing system.
- (e) Previous year.
- (f) Assessee.
- (g) Declared goods.

**PART D — (2 × 6 = 12 marks)**

Answer TWO of the following by referring to the relevant provisions of law. Give cogent reasons.

- 8. Decide about the deduction for the following :
  - (a) Mr. A donated Rs. 1,60,000 to XYZ political party.
  - (b) Mr. Z got royalty for his book, to the tune of Rs. 3 lakhs.
- 9. Mr. A who is aged about 86 years, is receiving pension of Rs. 26,400 per month. He is paying towards medical insurance premium of Rs. 75,000 per annum. He spent Rs. 55,000 for his wife's medical treatment. He won Rs. 75,00,000 from a game show. Calculate his income tax liability for the assessment year 2016-2017.
- 10. On 31<sup>st</sup> March, Mrs. B has the following :
  - (a) Four houses in Thirunelveli worth about Rs. 30 lakhs each.
  - (b) Four yachtes each worth about Rs. 50,000
  - (c) Gold jewels worth about Rs. 1 crore.
  - (d) Cash in hand Rs. 40,000

She is residing in Madurai with her family and in own house. Yachtes were running for commercial purpose. Calculate the wealth tax of Mrs. B for the assessment year 2016-2017.

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H 1120

H3KJ

**B.L. (Hons.) DEGREE (SEMESTER) EXAMINATION, MAY 2016.**

(For the candidates admitted during 2011 and 2012)

Third Year — Sixth Semester

**INTERNATIONAL TRADE LAW**

Time : 2½ hours

Maximum : 70 marks

**PART A — (2 × 12 = 24 marks)**

Answer TWO of the following in about 500 words each.

1. Explain the structure and functions of WTO.
2. "New International Economic Order" – Discuss.
3. Discuss the Role of Regional Trade Agreements in enhancing multi-lateral trade.

**PART B — (2 × 7 = 14 marks)**

Answer TWO of the following in about 300 words each.

4. Explain the functions of Dispute Settlement Bodies in WTO.
5. "IMF – Is it a saviour for developing countries?" – Justify with examples.
6. Explain the principles governing WTO.

**PART C — (5 × 4 = 20 marks)**

7. Write short notes on FIVE of the following :

- (a) Product Life Cycle Theory
- (b) IBRD
- (c) UNCTE
- (d) European Union
- (e) GATT
- (f) Absolute Advantage Theory
- (g) Heckscher-Ohlin Theory.

[P.T.O.]

PART D — (2 × 6 = 12 marks)

Answer TWO of the following by referring to relevant provisions of law and decided cases. Give cogent reasons.

8. State 'X' is a super power nation in European Union and State 'Y' is a developed country in Asian Union. Both are members of OPEC. State of 'Y' exports oil at subsidized prices to the member states in Asian Region. So the buyers of European Union also started purchasing from 'Y' State. This made 'X' angry and threatened to restrict the sale of oil at subsidized price. Is it justified?
9. Republic of 'A' and Kingdom of 'B' were rich in technology. As per the obligations of WTO, 'A' transfers its satellite communication technology to its neighbouring state "C". 'B' severely condemn the actions of 'A' and impose economic sanctions on 'A'. All the technological developed states admired the action taken by 'B'. Matter comes before the forum. Decide.
10. 'A', an ambassador from State 'X' and 'B', an ambassador from State 'Y' entered into a treaty for creating awareness reciprocally between the States about medical waste management and engineering waste management. In both the States, they started the institution and conducted courses related to the subject matter which is fully funded by the WHO. 'Z' a neighbouring State in the region is polluting through medical and engineering wastes. 'A' and 'B' objected to this act of 'Z'. But 'Z' contended that it is an economic and livelihood matter, that no one can restrict this. Whether the intention of 'Z' can be justified?

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H 1139

H3KK

**B.L. (Hons.) DEGREE (SEMESTER) EXAMINATIONS,  
MAY 2016.**

(For the candidates admitted during 2011 and 2012)

Third Year — Sixth Semester

**COMPETITION LAW**

Time :  $2\frac{1}{2}$  hours

Maximum : 70 marks

**PART A — (2 × 12 = 24 marks)**

Answer TWO of the following in about 500 words each.

1. Examine the role of Competition Commission in regulating combinations in India.
2. "Predatory price means the sale of goods or provision of services, at a price which is below the cost, as may be determined by regulations" — Discuss.
3. Discuss the factors that led to a specific legislation on Competition Law in India.

**PART B — (2 × 7 = 14 marks)**

Answer TWO of the following in about 300 words each.

4. Explain the definition of "relevant market" under the Competition Act with decided cases.
5. Examine the exception to the rule that anti-competitive agreements are void.
6. Define dominant position and explain the circumstances that are considered as abuse of dominant position.

**PART C — (5 × 4 = 20 marks)**

7. Write short notes on FIVE of the following :
  - (a) Competition fund.
  - (b) Compensation under Competition Act.

[P.T.O.]

- (c) Enterprise.
- (d) Cartel.
- (e) Control — Definition under Competition Act.
- (f) Resale Price Maintenance.
- (g) Exclusive Distribution Agreement.

**PART D — (2 × 6 = 12 marks)**

Answer TWO of the following by referring to the relevant provisions of law and decided cases. Give cogent reasons.

8. Selvan Company manufactured and sold photo copiers and micrographic equipment. It also sold service and replacement parts for its equipment. Selvan Co., subsequently adopted policies to limit the availability of parts to Independent Service Organisations and made it more difficult for them to compete with Selvan in servicing Selvan Co's equipments. The ISO's filed a complaint before the CCI. Decide.
9. 'X' Co., and 'Y' Co., cross licensed among themselves their patents relating to the manufacture of glass making machinery and as a result of the monopoly acquired through these patents, others were excluded from a fair opportunity to freely engage in Commerce in such machinery and in the manufacture and distribution of glass products. A complaint was filed before the CCI — Decide.
10. A scheme provided that Tata Oil Mills would merge with Hindustan Lever which was a subsidiary of Unilever a multinational Co., based in UK. Majority shareholders of both the Co's. approved the scheme. The employee unions of two companies and two consumer protection organisations filed a Petition before CCI stating that the merger was done to acquire dominant position in the market and so void. Decide.

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H 1151

H3KM

**B.L. (Hons.) DEGREE (SEMESTER) EXAMINATIONS, MAY 2016.**

(For the candidates admitted during 2013)

Third Year — Sixth Semester

**CYBER LAW AND FORENSICS**

Time : 2½ hours

Maximum : 70 marks

**PART A — (2 × 12 = 24 marks)**

Answer TWO of the following in about 500 words each.

1. Discuss the various jurisdiction issues in Cyber Space.
2. Enumerate the functions and duties of Controller of Certifying Authority.
3. How "Digital Signature" is authenticating the electronic documents?

**PART B — (2 × 7 = 14 marks)**

Answer TWO of the following in about 300 words each.

4. Define Cyber Crime and explain its kinds.
5. How TRIPS tackle the IPR issues in Cyber Space?
6. "Access to Internet" — A new right evolved in 21<sup>st</sup> Century. Discuss.

**PART C — (5 × 4 = 20 marks)**

7. Write short notes on FIVE of the following
  - (a) International Taxation.
  - (b) Cyber Regulations Appellate Tribunal.
  - (c) Digital Evidence.
  - (d) Open Source Software.
  - (e) Cloud Computing.
  - (f) Cyber defamation.
  - (g) Public Key and Private Key

[P.T.O.]

PART D — (2 × 6 = 12 marks)

Answer TWO of the following by referring to relevant provisions of law and decided cases. Give cogent reasons.

8. "X" sends a mail to "Y" stating that 'X' wants to transfer one million dollars to Y's account. 'Y' also gave all the details and also deposits Rs. 30,000/- to X's account as it was demanded by 'X'. But, 'X' did not transfer the said amount. 'Y' sues 'X'. Whether 'Y' will get any remedy?
9. "Yankee" is a famous software company produces software and markets its products in its name. It created its domain name as www.yankee.com. The respondent "Yankey" carries its business in its name and registered its domain name as www.yankey.com. The conflict aroused between two. Decide the case.
10. In a social network, "A" send a defamation statement against a renowned politician "B" and around hundred people were marked the statement as liked. 'B' filed a case against 'A' and also the other hundred people who liked that message. Decide the case.