

B.L / LL.B (Hon's)

Nov - 2016

Question Paper

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H 1176

H31A/CH31A/ H3IA

**LL.B. (Hons.)/ B.L. (Hons.) DEGREE (Semester) EXAMINATIONS,
NOVEMBER 2016.**

(For the candidates admitted from 2011 to 2016)

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 in the traditional sense, enquires into law, to find rational answers, with its base on philosophy and that of Political science" – Examine.
2. Critically examine the theoretical propositions advanced by the positivists, in particular that of the Exclusionist and Inclusionist views.
3. "The Hohfeldian notion of jural relations, indeed marks the signpost development in the field of modern Legal Philosophy" – Elaborate.

PART B — (2 × 7 = 14 marks)

Answer TWO of the following in about 300 words each.

4. "The Lon K. Fuller's scale on the Test of standard of Law is workable in terms of understanding the conscience of law" – Comment.
5. Define Ownership. Evaluate the attributes of Ownership in the context of the 'Right to Drinking Water' in India.
6. "The conceptualisation of Legal Personality is not only the development of Legal imagination but also the evolutionary aspects of it" – Discuss.

PART C — (5 × 4 = 20 marks)

7. Write short notes on FIVE of the following :
 - (a) Doctrine of Pleasure and Pain
 - (b) Legal Speculation and Legal Fiction
 - (c) Contribution of Gustav Radburch

[P.T.O.]

- (d) Natural Justice and Social Justice
- (e) Civil and Criminal Negligence
- (f) Common Law
- (g) Integrity 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. The Board of Directors of Company X, are prosecuted for the charge of Criminal Breach of Trust. During the proceedings, a question, arises to the identification of Mens rea as to the legal persons. What is the mens rea quotient of a company, for the purpose of determining the Corporate Criminal Liability. Discuss.
9. 'X' is the servant of 'Y'. 'X' committed Public Nuisance in a public place during his course of employment. Can the master 'Y' be held responsible for the nuisance committed by the servant 'X'?
10. 'X', a victim of the social evil of dowry, before her death, records dying declaration to three personalities. Namely, the Ambulance Attendant, Police Official and that of the judicial magistrate. Whose word will be the last word of justice, that is, which piece of evidence will be relied – Determine.

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H 1160

H31B/H31B/CH31B

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

(For the candidates admitted from 2011 to 2016)

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 concept of Consideration and state the various elements necessary for a valid Consideration.
2. State the various ways in which a party to a Contract can be discharged.
3. Explain the doctrine of Necessaries and state its relevance in Contracts.

PART B — (2 × 7 = 14 marks)

Answer TWO of the following in about 300 words each.

4. What are the various forms of Breach of contract.
5. Analyse whether silence amounts to acceptance in a contract.
6. Explain the concept of Novation in an agreement and state its impact.

PART C — (5 × 4 = 20 marks)

7. Write short notes on FIVE of the following :
 - (a) Specific Relief
 - (b) Restitution
 - (c) Appropriation of payments
 - (d) Finder of lost goods
 - (e) Fraud and Misrepresentation
 - (f) Uncertain Agreements
 - (g) Void and Illegal Agreements.

[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" is a minor who approaches "Y" for his educational institution fees. "Y" pays the fees and later on asks "X" to repay. But "X" refuses to repay in spite of possessing various properties and sufficient bank balance. Decide the remedies available to "Y".
 9. 'A' is an employer who appoints "B" with a condition that "B" shall not marry anyone for a time period of ten years within the employment period. 'B' gets married after 5 years. "A" sues "B" for breach of contract. Decide.
 10. "X" goes to an orphanage and promises ten lakh rupees donation. After few days the orphanage authorities signed a building contract with a Civil contractor by relying on the promise made by "X". Later on "X" refuses to pay the promised amount. Decide the remedies available to the orphanage authorities.
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H 1161

H31C/H31C/CH31C

**B.L. (Hons.)/LL.B. (Hons.) DEGREE (Semester) EXAMINATIONS,
NOVEMBER 2016.**

(For the candidates admitted from 2011 to 2016)

First Year — First Semester

LAW OF TORTSTime : 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. "Harm suffered voluntarily does not constitute a legal injury and is not actionable" – Explain the doctrine with the limitations, if any.
2. "The test of Reasonable Foresight is relevant to determine culpability but not compensation" – Discuss.
3. "Where persons possessor use dangerous things, they are bound to exercise more than ordinary care in their control of them and in any case, to keep them at their peril" – Discuss.

PART B — (2 × 7 = 14 marks)

Answer TWO of the following in about 300 words each.

4. Discuss the various defences available to the defendants in an action for defamation".
5. "Actio personalis moritur cum persona" – Discuss.
6. Explain the nature of the joint tort feisor's liability with the rule in Merry Weather Vs- Nixon. Give exceptions to the rule.

PART C — (5 × 4 = 20 marks)

7. Write short notes on FIVE of the following :
 - (a) Volenti non fit injuria
 - (b) Trespass ab initio.
 - (c) Malice.
 - (d) Ryland-vs-Fletcher.

[P.T.O.]

- (e) Res Ipsa Loquitur.
- (f) Contributory Negligence.
- (g) Motor Accident Claims.

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' gets 'Y' arrested by the police on a false complaint. Has 'X' committed any tort?
9. 'A' was running a school and the fixed monthly fees per student is Rs. 1,000. 'B' started another school in the same locality by fixing monthly fee per student as Rs. 800/-. Many students had shifted to B's school by which 'A' incurred loss. Discuss the remedy available to 'A'.
10. Banu, a 7 months pregnant lady, was injured while getting into a bus on account of the negligence of the driver. She gave birth to a child with distorted feet. Banu brought an action against the bus company on behalf of the child for the deformity. Will she succeed?

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H 1162

H31D/H31D/CH31D

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

(For the candidates admitted from 2011 to 2016)

First Year — First Semester

LAW OF CRIMES - I (Indian Penal Code)

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 essential elements of Crime and its stages.
2. "There is no exception in favour of anyone in the Indian Penal Code, Some persons are always exempted from the jurisdiction of criminal courts of every country" — Examine.
3. Explain causing death by Negligence under the Indian Penal Code, 1860.

PART B — (2 × 7 = 14 marks)

Answer TWO of the following in about 300 words each.

4. Distinguish between common intention and common object.
5. State the essentials of offence of Grievous Hurt.
6. Narrate the kinds of punishments under the Indian Penal Code.

PART C — (5 × 4 = 20 marks)

7. Write short notes on FIVE of the following :
 - (a) Abetment.
 - (b) Intoxication.
 - (c) Right of private defence.
 - (d) Sexual offence.
 - (e) Adultery.
 - (f) Attempt.
 - (g) Unlawful Assembly.

[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', on grave and sudden provocation, fires a pistol at 'Z'. Decide the liability of 'A'.
 9. A, puts a bait for dog in his pocket and thus induces 'Z's dog to follow it. Whether 'A' is liable – Decide.
 10. A, signs his own name in a bill of exchange, intending that it may be believed that the bill was drawn by another person of the same name. Decide the liability of 'A'.
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H 1163

H31E/H31E/ CH31E

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

(For the candidates admitted from 2011 to 2016)

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. Explain the conditions of a valid Muslim Marriage.
2. Mention the grounds on which a Hindu wife can seek dissolution of Marriage and compare her position in this regard to that of a Muslim wife.
3. Discuss the composition, jurisdiction, functions and significance of the Family court.

PART B — (2 × 7 = 14 marks)

Answer TWO of the following in about 300 words each.

4. Explain the consequences of marriage under the Special Marriage Act, 1954, with reference to the legislative changes made in this regard.
5. Explain the concept of Guardianship under the Mohammedan Law.
6. Discuss the requisites for a valid Adoption.

PART C — (5 × 4 = 20 marks)

7. Write short notes on FIVE of the following :
 - (a) Sources of Muslim Law.
 - (b) Capacity of a Hindu to give a Child in Adoption.

[P.T.O.]

- (c) Dependants.
- (d) Prompt dower.
- (e) Self Respect Marriage.
- (f) Sec. 125 of the Criminal Procedure Code.
- (g) Formalities of a Christian Marriage.

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. Sita, a Hindu wife, wishes to live separately from her husband and also claim Maintenance after her husband's conversion from Hinduism. Is she entitled for both?
9. 'A' a Muslim male marries 'B' a Muslim Woman, when she was undergoing iddat. Subsequently 'A' dies and 'B' claims 'A's' property as his wife. Is her claim tenable?
10. Raheem aged 50 years acknowledges Saleem aged 38 years as his legitimate son. Decide.

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H 1164**H31F/H31F/CH31F**

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

(For the candidates admitted from 2011 to 2016)

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. "The seminal objective of legal method is to ensure that students learn the art of learning law" — Discuss.
2. Define Synopsis. Explain in detail the components of a Synopsis.
3. "The notion of 'reasoned decision' supplements the virtues of judicial conscience" — Elaborate.

PART B — (2 × 7 = 14 marks)

Answer TWO of the following in about 300 words each.

4. "The essential fabric of Empirical research is structured on the collection of data, in particular its principles and techniques" — Explain.
5. "The principles of statutory interpretation are basically tools of understanding, especially the statute Law" — Comment.
6. Write an essay on the good qualities of a researcher in law.

PART C — (5 × 4 = 20 marks)

7. Write short notes on FIVE of the following :
 - (a) Natural Justice and legal justice.
 - (b) Legisprudence.
 - (c) Interview method.

[P.T.O.]

- (d) Limitations of Non-Empirical research in Law.
- (e) Texts of the Law and texts about the Law.
- (f) Legal fiction.
- (g) General Clauses Act, 1897.

PART D — (6 × 2 = 12 marks)

8. Answer SIX of the following very briefly :

- (a) Computer assisted legal research.
 - (b) Utility of Legal Maxims.
 - (c) Law Commission of India.
 - (d) Public Law and Private Law.
 - (e) Research Manual.
 - (f) Foot Notes.
 - (g) Contribution of Fred N. Kerlinger.
 - (h) Law Library.
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H 1165

H3IG/H32A

**LL.B. (Hons.)/ B.L. (Hons.) DEGREE (SEMESTER) EXAMINATIONS,
NOVEMBER 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. Define Contract of Indemnity. Distinguish between a contract of guarantee and contract of indemnity.
2. State and explain the essentials of a bailment contract and differentiate it from a Pledge and Hypothecation.
3. Explain 'Conditions and Warranties' in a contract of sale of goods and state the consequences of the breach of each.

PART B — (2 × 7 = 14 marks)

Answer TWO of the following in about 300 words each.

4. "Delegatus non potest delegare" – Explicate.
5. Explain the nature and extent of the implied authority of a partner in his relations with 3rd parties.
6. "When the property in goods pass to the buyer from the seller it has to be decided by taking into account various factors relating to the contract of sale" – Discuss.

PART C — (5 × 4 = 20 marks)

7. Write short notes on FIVE of the following :
 - (a) Stoppage of goods in transit.
 - (b) CIF and FOB contracts.
 - (c) Ratification is tantamount to prior authority.
 - (d) Particular lien.

[P.T.O.]

- (e) Effects of non-registration of fund.
- (f) Substituted agent.
- (g) Defective goods.

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' purchases a platinum chain from 'B' by exercising undue influence and pledges it with 'C' before 'B' rescinds the contract. Is the pledge valid?
9. X, Y and Z are parties in a trade. X retires from partnership. Y and Z continue the business in partnership and incur debts. Can the auditor make X liable for the debts? Give reasons for your answer.
10. 'A' engages 'B' as a clerk to collect rent from his tenants. 'B' fails to account for the sum collected. 'A', in consequence, calls upon 'B' to furnish security and 'C' stands as surety for B's daily accounts. But again 'B' defaults. Is 'C' bound by his guarantee?

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H 1166

H3IH/H32B

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

(For the candidates admitted from 2011 to 2015)

**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. "Equal protection of the laws forbids class legislation but it does not forbid reasonable classification". Discuss by making reference to case laws.
2. Examine with reference to relevant cases, the scope of the constitutional safeguards available in the case of Preventive detention.
3. Examine the scope of Directive Principles of State Policy under the Constitution. How do they differ from those of Fundamental Rights?

PART B — (2 × 7 = 14 marks)

Answer TWO of the following in about 300 words each.

4. The Constitution of India is Federal in structure and Unitary in character. Discuss.
5. Critically evaluate the Freedom of cultural and educational rights guaranteed under Article 29 and 30 of the Indian Constitution with decided case laws.
6. "Religious tolerance and equal treatment of all religious groups and protection of their life and liberty and of the places of their worship are an essential part of secularism" – Discuss how far freedom of religion is guaranteed under Indian Constitution?

[P.T.O.]

PART C — (5 × 4 = 20 marks)

7. Write short notes on FIVE of the following :
- (a) Judicial Review
 - (b) Freedom of Movement
 - (c) Right to Education
 - (d) Double Jeopardy
 - (e) Abolition of Child Labour
 - (f) Vishaka V. State of Rajasthan
 - (g) Fundamental Duties.

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 Public Interest Litigation is filed under Article 226 of the Constitution against railway authorities for compensation to a rape victim, who is a foreign national. The Railway authorities deny their liability because the woman is a foreigner and the remedy is available only under private law and a petition under Art. 226 does not lie. The High Court awarded 5 lakhs compensation. Now the appeal by the Railway authorities goes to the Supreme Court. Decide.
9. Certain charges of corruption were levelled against the appellant. Inquiry was conducted and questions were posed to the appellant by the police investigating agency which he refused to answer. Then he was prosecuted under Indian Penal Code for not answering to the questions. Decide the validity of the case?
10. The validity of Maharashtra prevention of Excommunication Act was challenged by the head of a particular community. The respondent has refused to observe certain religious creeds and some practices which are considered to be essential part of religion by the community. In such circumstances the head of the community has the right to Excommunicate the members. The Act passed by the State has taken away the right of the head to excommunicate on religious grounds. Give your advice to the head of the community.

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H 1167

H3II/H32C

**B.L. (Hons.) / LL.B. (Hons.) DEGREE (SEMESTER) EXAMINATIONS,
NOVEMBER 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. "Nemo dat quod non habet" – Explain the Maxim with exceptions if any.
2. Discuss the rights and liabilities of Seller and Buyer, before and after the completion of sale.
3. Explain various modes of acquisition of Easement.

PART B — (2 × 7 = 14 marks)

Answer TWO of the following in about 300 words each.

4. "Marshalling is reverse of Contribution" – Elucidate.
5. "Neither party to a litigation can transfer a property which is the subject matter of suit" – Discuss.
6. "Law leans in favour of vesting and against divesting" – Explain.

PART C — (5 × 4 = 20 marks)

7. Write short notes on FIVE of the following :
 - (a) Attestation
 - (b) Bellamy V. Sabine
 - (c) Direction for accumulation
 - (d) Usufructuary mortgage
 - (e) Universal donee
 - (f) Clog on redemption
 - (g) Kinds of Easement.

[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' transfers a property to 'B' with the condition that if 'B' becomes insolvent the property shall be retransferred to 'A'. Discuss the validity of the condition.
 9. Ramu enters into an agreement for sale of his property 'Black acre' worth Rs. 10 lakhs to Ravi by which he receives Rupees 8 lakhs as prepaid purchase money and put Ravi in possession. Ravi refuses to pay the balance 2 lakh rupees to Ramu. Advise Ramu.
 10. 'X' mortgages his properties Blackacre and Whiteacre with 'Y' in a single mortgage deed. After 2 years 'X' wants to redeem Blackacre alone. Can he do so?
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Register No.

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H 1168

H3IJ/H32D

**B.L. (Hons.)/LL.B. (Hons.) DEGREE (SEMESTER) EXAMINATIONS,
NOVEMBER 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. Define a Mitakshara Coparcenary and discuss the rights of the Coparceners.
2. Discuss the concept of Women's estate and explain the changes made by legislations to a Hindu Women's right to Property.
3. Define the classification of heirs under Hanafi law of Inheritance.

PART B — (2 × 7 = 14 marks)

Answer TWO of the following in about 300 words each.

4. Define Wakf and the essentials of a valid Wakf.
5. Explain Partition by Unilateral declaration.
6. Explain the different types of legacies.

PART C — (5 × 4 = 20 marks)

7. Write short notes on FIVE of the following.
 - (a) Antecedent debt.
 - (b) Gains of learning.
 - (c) Dwelling house.
 - (d) Consanguinity.
 - (e) Revocation of Will.
 - (f) Probate.
 - (g) Hindu Religious Endowments.

[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 Hindu male dies leaving his son, daughter, two sons of a predeceased daughter, mother and father. Divide his estate.
 9. A Shia Muslim died leaving his wife, son, daughter and father. Divide his estate.
 10. A Christian man dies leaving his two sons, two daughters, father and mother. Distribute his estate.
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Register No.

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H 1169

H3IK/H32E

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

(For the candidates admitted from 2011 to 2015)

First Year — Second Semester

HUMAN RIGHTS 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 Universal Declaration of Human Rights has stipulated that the children are entitled to special care and assistance. Discuss in detail the rights of the Child.
2. Bring out the relationship between the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social and Cultural Rights.
3. Trace the evolution and concept of Human rights and discuss the various sources of International Human Rights Law.

PART B — (2 × 7 = 14 marks)

Answer TWO of the following in about 300 words each.

4. Indian Constitution bears the impact of the Universal Declaration of Human Rights. Elucidate.
5. What is the role of the United Nations Children's Fund (UNICEF) in protecting the rights of children?
6. Explain the significance of the Declaration on the rights of disabled persons.

PART C — (5 × 4 = 20 marks)

7. Write short notes on FIVE of the following :
 - (a) State Human Rights Commission
 - (b) Right to free and fair elections
 - (c) Jurisdiction of European Court on Human Rights

[P.T.O.]

- (d) International Bill of Rights
- (e) Right to Self-determination
- (f) Amnesty International
- (g) Inter American Court of Human Rights.

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 Tamil Nadu State Government gave permission to a company to start chemical manufacturing factory in a village near Chennai City in the year 2012. Two big lakes are situated near the village. After two years the chemical factory started releasing polluted water waste into one of the lakes. This started polluting the lake water and also damaged the environment. It resulted in health problems to villagers and they wanted to protect their village. Advise the villagers.
9. Mr. 'X', the son of the President of Country Lonia came to know about the revolution against the President in Lonia. He left the Country with his family and applied for the grant of asylum in a neighbouring country. The country of origin confirmed the revolution. Determine whether Mr. 'X' satisfies the ground for the grant of "refugee status" according to the Convention relating to the Status of Refugees, 1951, read with its Protocol.
10. 'A' was acquitted by a court in a criminal trial but was ordered by the court to furnish security. 'A' failed to do it. 'A' was not released from the prison. 'A' agitated against it as a violation of human rights. Decide.

Register No.

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H 1177

H3IL

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

(For the candidates admitted from 2011 to 2014)

First Year — Second Semester

REGULATORY LAWS

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 composition and functions of the Central Electricity Regulatory Commission (CERC).
2. Explain the powers and functions of TRAI. How does it regulate Telemarketing.
3. Discuss the important amendments made in the Insurance Act of 1938 by the Insurance Regulatory and Development Authority Act, 1999.

PART B — (2 × 7 = 14 marks)

Answer TWO of the following in about 300 words each.

4. Distinguish between Public Corporation and Regulatory Authorities.
5. Examine the duties of the Competition Commission of India
6. Briefly explain the Pension fund and Development Regulatory authority in safeguarding the interests of pensioners.

PART C — (5 × 4 = 20 marks)

7. Write short notes on FIVE of the following :
 - (a) Theories of Regulation
 - (b) Competition policy
 - (c) SEBI guidelines, 2000
 - (d) State Electricity Regulatory Commission
 - (e) National Electricity policy
 - (f) Evolution of Regulation
 - (g) Regulation beyond the State.

[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 & B an insurance company was adjudicated as insolvent. Some of the policy holders complained to the IRDA to cancel the registration of A & B insurance company on the ground of insolvency. Decide whether IRDA can act upon the complaint given by the Policy holders.
9. Tamilnadu Textile Ltd. and Kerala Textile Ltd. are Marketing their products in India and propose to be amalgamated. The enterprise created as a result of the said amalgamation will have assets of value of Rs.300 crores (Three hundred crores) and turnover of Rs.1,000 (thousand) crores. Examine whether the proposed amalgamation attracts the provisions of the Competition Act 2002?
10. Miss. Malini is a customer of a telecommunication company. She has furnished some personal information like age, address, occupation etc. at the time of getting mobile phone SIM card from the company's service provider Mr. X. The same data was stored in Mr. X's database. Subsequently, Mr. X sold the data to a third party for consideration. As a result Miss Malini was receiving unsolicited nuisance calls and messages from the third party – Advise Miss. Malini.

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H 1265

H32F

LL.B. (Hons.) DEGREE (SEMESTER) EXAMINATIONS,
NOVEMBER 2016.

(For the candidates admitted during 2015)

First Year — Second Semester

REGULATORY 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 Public interest theory of Regulation helps to prevent market failures. Explain.
2. What are the functions and Powers of Telecom Regulatory Authority of India?
3. Discuss the powers and functions of Pension Fund and Development Regulatory Authority.

PART B — (2 × 7 = 14 marks)

Answer TWO of the following in about 300 words each.

4. Explain the Institutional theory of Regulation.
5. Explain the features of Tamil Nadu Electricity (Reorganization and Reforms) Transfer Scheme 2010.
6. Discuss the Powers of SEBI in regulating Insider Trading.

PART C — (5 × 4 = 20 marks)

7. Write short notes on FIVE of the following:
 - (a) Stock broker
 - (b) Securities Appellate Tribunal
 - (c) Functions of Electricity Commission
 - (d) National Electricity Plan

[P.T.O.]

- (e) Regulation beyond the State
- (f) Compare SEBI and SAT
- (g) National Pension Scheme.

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. Mr. Reminder a master degree holder in Economics and not a member of a stock exchange wants to register himself as stock broker. Decide whether he is a fit and proper person to get a licence for stock broking in India.
 9. 'CONPRO', a Telecom operators association, filed an appeal before the Supreme Court challenging the validity of order passed by TRAI on imposing Rs.1/- per call drop — Decide.
 10. 'A', a foreign telecom company, applied to Central Government and got licence to telecom service in India. TRAI by Suo Moto cancels the order passed by the Central Government and revokes the licence. The Central Government challenges the order of TRAI in the Supreme Court. Decide.
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H 1171

H3JA/H33A

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

(For the candidates admitted from 2011 to 2015)

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. State and explain the conditions under which Parliament can legislate on State subjects.
2. Examine the safeguard provided to Civil servants under the Constitution of India with latest case laws.
3. Describe the powers and functions of the Election Commission of India. Refer to the recent reforms in the Lok Sabha Elections, 2014.

PART B — (2 × 7 = 14 marks)

Answer TWO of the following in about 300 words each.

4. Describe the dual capacity of Governor of State.
5. Examine the power of the Supreme Court of India in giving Advisory opinion.
6. Explain the provisions relating to inter-state trade and commerce.

[P.T.O.]

PART C — (5 × 4 = 20 marks)

7. Write short notes on FIVE of the following :
- (a) Anti-defection law
 - (b) Residuary powers.
 - (c) Money bill
 - (d) Administrative Tribunals
 - (e) F.N. Balsara-vs.-State of Bombay.
 - (f) S.P Gupta-vs.-Union of India
 - (g) Prospective overruling.

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 Government of India entered into a treaty with the United States of America on a subject matter which is in the State list under the Indian Constitution. Is it sustainable? Decide.
9. The Parliament of India passed a Constitutional amendment wherein the power to decide on election disputes of Prime minister was excluded from judicial review and it was conferred on the Parliament- Decide.
10. Mr. Student was serving as a head constable in the friend of Police in State of Thillai Nadu. He ran with a 50 kgs. Sovereign of Gold from the police custody. He was charged with the offence of theft. At his trial, he pleaded he is eligible for immunity under tortious act. Decide.

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H 1172

H3JB/H33B

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

(For the candidates admitted during 2011 to 2015)

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. Examine the procedure for registration of a Trade Union and explain the grounds for its cancellation.
2. Discuss the concept of Industrial dispute and explain with the help of decided case laws when a dispute is deemed to be an industrial dispute.
3. Examine the procedure for fixing and revising minimum wages under the Minimum Wages Act, 1948.

PART B — (2 × 7 = 14 marks)

Answer TWO of the following in about 300 words each.

4. Explain the powers and functions of authorities under the Payment of Wages Act, 1936.
5. "An effective collective bargaining builds up a democratic atmosphere of mutual trust and faith between employer and employees at the work place" – Discuss.
6. Explain with the help of judicial interpretations the term 'Industry' under the Industrial Disputes Act –1947.

[P.T.O.]

PART C — (5 × 4 = 20 marks)

7. Write short notes on FIVE of the following:
- (a) Doctrine of Laissez-faire.
 - (b) Appropriate government
 - (c) General fund
 - (d) Conciliation officer
 - (e) Wages under the Minimum Wages Act
 - (f) Marginal productivity theory of wages
 - (g) Need based Minimum Wage.

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. Members of Charu textile factory went on sit-down strike. To stop the work, they occupied two main buildings of the factory. The management of the Charu textile sought the help of Police to remove them forcibly to vacate the building. This has irritated the workers to the extent of damaging the property of the factory. The management prosecuted the workers for their acts of violence. But the Workers Union pleaded immunity from criminal action – Decide.
9. Mr. Raju, an employee of a bank who had put in more than 240 days of service was discharged on the ground that he failed to pass the prescribed test provided for the confirmation in service. Raju claimed retrenchment compensation and the same was refused by the management on the contention that services of Raju would not amount to discharge of surplus labour. – Decide.
10. The State had fixed higher rate of minimum wages for workmen for loading and unloading fertilizer bags than for workmen loading and unloading Cement bags. The workmen for loading and unloading cement bags challenged on the ground of violation of Article 14 of the constitution of India – Decide.

Register No.

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H 1173

H3JC/H33C

**B.L., (Hons.)/LL.B., (Hons.) DEGREE (Semester) EXAMINATIONS,
NOVEMBER 2016.**

(For the candidates admitted from 2011 to 2015)

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. "Custom is a primary source of International law but not a material source" – Analyse with the help of essentials of a valid custom.
2. Examine the theories of relationship between International law and Municipal law and the State practices in UK, USA and India.
3. Explain the nature of the jurisdiction of the International Court of Justice [ICJ] and the manner in which decisions are enforced.

PART B — (2 × 7 = 14 marks)

Answer TWO of the following in about 300 words each.

4. Mention the significance of Nottebhom's case for the development of International Law.
5. Define Treaty. Point out the general principles of Treaty interpretation.
6. Explain the rights of a coastal State over its Exclusive Economic Zone [EEZ].

PART C — (5 × 4 = 20 marks)

7. Write short notes on FIVE of the following :
 - (a) Domestic Jurisdiction
 - (b) Constitutive theory.
 - (c) Nuremberg Trial

[P.T.O.]

- (d) Prescription
- (e) Extradition
- (f) Double veto
- (g) Island of Palmas Arbitration case.

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. States 'Runstion' and 'Munistion' had boundary disputes for several decades and refrained from all diplomatic relations. When the aircraft of 'Runstion' State flew across State 'Munistion', it was shot down by State 'Munistion'. Decide the remedy available for State 'Runstion'.
9. Ms. Nalanthana, a national of State 'R', fled his State because of fear of internal conflict to State 'S'. State 'S' accepts Ms. Nalanthana as refugee in 1980. Due to internal emergency in State 'S' in 2006, the State 'S' asked all the refugees to leave the state including Ms. Nalanthana. Decide.
10. State 'A' seeks extradition of its citizen from State 'B', for a murder case in State 'A'. State 'A' claimed on the ground that a First Information Report [FIR] is filed and a Non Bailable warrant is pending. Can this be a ground for extradition? Decide.

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H 1174

H3JD/H33D

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

(For the candidates admitted from 2011 to 2015)

Second Year — Third Semester

BANKING LAW INCLUDING NEGOTIABLE INSTRUMENTS ACT

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 powers and functions of the Reserve Bank of India.
2. Define "Banker" and "Customer". What are the rights and duties of a Banker.
3. What are the salient features of a Negotiable Instrument?

PART B — (2 × 7 = 14 marks)

Answer TWO of the following in about 300 words each.

4. Define 'Cheque'. What are the essential requisites of a Cheque.
5. What are the rules laid down in Clayton's case? Discuss the exceptions to the rule in Clayton's case.
6. Explain the criminal liability in case of Dishonour of Cheque under Section 138 of the Negotiable Instruments Act 1881.

PART C — (5 × 4 = 20 marks)

7. Write short notes on FIVE of the following:
 - (a) Holder – in – due course
 - (b) Garnishee order
 - (c) Restrictive crossing
 - (d) Material alteration
 - (e) Special types of customer
 - (f) Nationalisation of Bank
 - (g) ATM.

[P.T.O.]

PART D — (2 × 6 = 12 marks)

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

8. 'A' draws a cheque in favour of 'B', a minor girl. 'B' endorses it to 'C' and 'C' endorses it to 'D'. The cheque is dishonoured by the Bank. What are the rights of 'C' and 'D'.
 9. Ram presented his cheque to a bank on 1.3.2012, the cheque was drawn on 30.8.2011. It was dishonoured on account of "not a valid instrument", Is 'Ram' entitled to obtain the amount through the instrument?
 10. 'A' executes a promissory note on attaining majority in consideration of the money advanced to him while he was a minor. Can 'A' be successfully sued on the Promissory note by the creditor.
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Register No.

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H 1175

H3JE/H33E

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

(For the candidates admitted from 2011 to 2015)

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. Enumerate the salient features of the Geographical Indication of Goods (Registration and Protection) Act, 1999.
2. Discuss the grounds for obtaining compulsory licence under the Indian patent regime.
3. Explain the impacts of TRIPs agreement on Indian pharmaceutical industry.

PART B — (2 × 7 = 14 marks)

Answer TWO of the following in about 300 words each.

4. "Patent on life form is still controversial" – Explain.
5. Discuss the concept of 'fair-use' under Indian copyright system.
6. Enumerate the remedies available in case of trade mark infringement.

PART C — (5 × 4 = 20 marks)

7. Write short notes on FIVE of the following :
 - (a) Online Piracy.
 - (b) Term of copyright.
 - (c) Dispute Settlement Body of WTO.

[P.T.O.]

- (d) Deceptive similarity.
- (e) Trade secret protection plans.
- (f) Inventive step.
- (g) Most Favoured Nation Treatment.

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 invented a product known as "Carbon Terminator" and obtained patent from the patent office at Chennai. Two years later the defendant without getting permission started exporting the similar product to some foreign countries. On knowing the same the plaintiff filed a case against the defendant for getting remedy – Decide.
9. Mohan published a book in English titled as 'A Little Man' in Mumbai. After few years one Naren from Hyderabad translated this book into Telugu and published it in Hyderabad. On knowing the same Mohan filed a case against Naren for infringement of Copyright – Decide.
10. The Plaintiff registered a mark for his business of producing all kinds of pickles as 'Rushi'. Sometimes later, the defendant started producing masalas for pickles and named his product as 'Rushi Masala'. So the Plaintiff filed a case against the Defendant for infringement of Trade Mark – Decide.

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H 1178

H3JG

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

(For the candidates admitted from 2011 to 2014)

Second Year — Fourth Semester

COMPANY LAW

Time : 2½ hours

Maximum : 70 marks

PART A — (2 × 12 = 24 marks)

Answer TWO of the following in about 500 words each.

1. "Incorporation offers certain advantages to the business community as compared with all other kinds of business Organization" - Discuss.
2. "The object of Memorandum is to confine the corporate activities within a defined field" - Explain this statement with decided cases.
3. Define Prospectus and state the remedies for misrepresentation in the prospectus.

PART B — (2 × 7 = 14 marks)

Answer TWO of the following in about 300 words each.

4. Explain the powers and duties of Directors.
5. Describe the procedures and requisites of valid meeting of a Company.
6. Define Debenture and explain the characteristic features of a debenture.

PART C — (5 × 4 = 20 marks)

7. Write short notes on FIVE of the following :
 - (a) Oppression and Mismanagement.
 - (b) One person company.
 - (c) Dividends.
 - (d) Corporate Social Responsibility.
 - (e) NCLT.
 - (f) Women director.
 - (g) Buy back of shares.

[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 company had changed its name from Malay Tea Syndicate Ltd. to Malay Tea and Industries Ltd. Later it filed a Writ petition in its former name. Decide.
9. The articles of association of a Company required that all deeds should be signed by the Managing Director, the Secretary and a working director on behalf of the Company. 'X' accepted a deed of mortgage executed by the secretary and a working director only. Decide whether he can make a valid claim under the deed.
10. An infant was registered as a shareholder. After attaining majority he received dividends from the company. Later he denied that he is a shareholder during winding up of the Company. Decide.

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H 1179

H3JH

**B.L. (Hons.) DEGREE (SEMESTER) EXAMINATIONS,
NOVEMBER 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. According to the National Commission on Labour, "Social Security is based on ideals of Human dignity and Social justice"— Evaluate the validity of this sentence in the LPG era in India.
2. Discuss the process of appointment, powers and functions of commissioner under the Employee's Compensation Act, 1923.
3. Examine the concept of "Contribution" with reference to its 'Rate' and 'Purpose' for which the fund can be used as per the ESI Act, 1948.

PART B — (2 × 7 = 14 marks)

Answer TWO of the following in about 300 words each.

4. Elucidate the Concept of Bonus with reference to eligibility for Bonus and when an employee is disqualified from receiving bonus under the Payment of Bonus Act 1965.
5. Explain the relevant provisions under the Factories Act 1948 that secures the health of the workers employed in a Factory.
6. Analyse the mode of recovery of money due from employers under the Employees Provident Fund and Miscellaneous Provisions Act 1952.

PART C — (5 × 4 = 20 marks)

7. Write short notes on FIVE of the following :
 - (a) Theory of National extension of employers premises
 - (b) Temporary Partial disablement and Permanent Partial disablement

[P.T.O.]

- (c) Working hours of Adults
- (d) Basic Wages under EPF Act 1952
- (e) Dependent under Employees Compensation Act 1923
- (f) Certifying Surgeon.
- (g) Nursing Breaks.

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' was a casual worker in a Jute factory. While working in the factory 'A' was bitten by a snake and he died. A's wife claims compensation but B, the employer, refuses saying that A was a casual worker and the death has not arisen out of and in the course of his employment. Decide.
9. 'A' an employee of Railways held 1st grade post. He was injured during the course of his employment and lost his one eye and 4 fingers of his left hand. He was declared by the medical officer as unfit for 1st grade job and so he was given IInd grade job. But A refused the offer and claimed compensation to be calculated on the basis of total disablement. Decide.
10. 'A' established a registered tuition centre under Cooperative Societies Act. It had 41 employees. The employer deducted Provident Fund from their salary and did not deposit it in EPF. Can 41 employees claim Provident Fund benefit from his employer. Decide.

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H 1266**H3JI****B.L. (Hons.) DEGREE (Semester) EXAMINATION, NOVEMBER 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. Discuss the Golden rule incorporated under the Indian Evidence Act, 1872.
2. Define the term 'Admission'. Whose admission could be relevant under the Indian Evidence Act, 1872?
3. Define Confession and differentiate it from Admission under the Indian Evidence Act, 1872.

PART B — (2 × 7 = 14 marks)

Answer TWO of the following in about 300 words each.

4. Explain the following privileged communication.
 - (a) Professional Communication.
 - (b) Communication during Marriage.
5. Distinguish between Primary Evidence and Secondary Evidence.
6. When the Forensic opinion of evidence shall be relevant under the Indian Evidence Act, 1872.

PART C — (5 × 4 = 20 marks)

7. Write short notes on FIVE of the following :
 - (a) Res gestae

[P.T.O.]

- (b) Estoppel
- (c) Burden of proof
- (d) Relevancy of character
- (e) Leading questions
- (f) Presumption as to Power of Attorney
- (g) Ambiguous document

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' is sued by 'B' for trespass upon his land. A alleges existence of public way and also produces a decree that supports him which is obtained by 'C' in respect of the same land. Is this relevant?
9. Prabhu, a client sells his property to his advocate and then brings a suit against him for setting aside the sale on grounds of fraud. On whom the burden of proof lies.
10. Sahu, is tried for having committed a crime at Chennai on a particular day. He leads evidence to prove the fact, that on the particular day he was at France. Is it relevant?

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H 1267

H3JJ

**B.L. (Hons.) DEGREE (SEMESTER) EXAMINATIONS,
NOVEMBER 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. Define Insurance contract. What is the importance of "Uberriamae fidei" in the insurance contracts?
2. What is a "warranty" in an insurance contract? Explain the "implied warranties" in a Marine Policy.
3. Examine the applicability of "no fault liability" and "third party liability" in the Motor Vehicle Insurance.

PART B — (2 × 7 = 14 marks)

Answer TWO of the following in about 300 words each.

4. Define Indemnity. Discuss the applicability of this principle to life insurance contract.
5. Explain the effects of "constructive total loss" in Marine insurance.
6. State the applicability of the following general principles to an insurance contract — 'offer, acceptance and consideration'.

PART C — (5 × 4 = 20 marks)

7. Write short notes on FIVE of the following :
 - (a) Proximate cause
 - (b) Inchmarree Clause
 - (c) "Average" in Fire Insurance Contract
 - (d) Salient features of Marine Insurance Act, 1963
 - (e) Change of voyage
 - (f) Insurance Ombudsman
 - (g) "Nomination" in a life policy.

[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. Certain premises were insured and the buildings were used for paper manufacturing. Subsequently, large quantities of cotton waste were brought into the building. The building was destroyed by fire. The insurance company rejected the claim stating an increased risk. Decide.
 9. Mr. A insured his goods in a godown in Mumbai and a cover note was issued on 18th June 2013, which stated that the goods were insured from 15th June 2013. The goods were destroyed by fire on the evening of 16th June which neither the insured nor the insurance company knew. Insurance company rejected the claim. Decide.
 10. Mr. X insured his cargo from Chennai. The cargo was damaged due to rough weather. Decide on the claim of insured.
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H 1182

H3JK

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

(For the candidates admitted from 2011 – 2014)

Second Year — Fourth Semester

MARITIME LAWSTime : $2\frac{1}{2}$ hours

Maximum : 70 marks

PART A — (2 × 12 = 24 marks)

Answer TWO of the following in about 500 words each.

1. "Indian legislations including British enactments got special statute status under the ambit of Admiralty and Maritime Law" — Discuss.
2. Define Ship. Explain the procedure of the arrest of the Ship as per the Admiralty jurisdiction of the Coastal State.
3. The jurisdiction of the Admiralty Court in regard to the possession and co-ownership is extensive in nature — Explain.

PART B — (2 × 7 = 14 marks)

Answer TWO of the following in about 300 words each.

4. "The freedom exercised on High Seas by all States with due regard for the interest of the other States" — Discuss.
5. Explain the laws of Harbours and Pilotage.
6. "Maritime claim can be invoked not only against the offending ship in question but also against a Sister-ship" — Elucidate

PART C — (5 × 4 = 20 marks)

7. Write short notes on FIVE of the following :

- (a) *Action in rem*
- (b) Immunity of Government Ships
- (c) The Maritime Zones Act of 1976
- (d) Hot pursuit

[P.T.O.]

- (e) Role of the International Maritime Organisation
- (f) International Safety Management (ISM) Code
- (g) Ship Mortgage.

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. Mrs. "M" was a passenger on a State N's vessel. She was injured on a Voyage on that vessel and sought compensation claiming that the State was negligent in not maintaining the adequate safety and security measures on the vessel. N also breached its liability of providing the safe and seaworthy transportation — Decide.
9. A foreign merchant vessel grounded on the outside edge of the reef which surrounds India. The Government of India filed a case for seeking compensation for damage to the reef, submerged lands and marine resources on the ground of owner of the reef. Whether it is entitled to damages.
10. 'X' had a maritime lien for unpaid seaman's wages which extended over the vessels of 'Y'. The Government also asserted the claims over the Y's vessels. According to X's claim, the above said vessels were arrested and sold. The amount was paid into Court. The Government also moved Court and made claim against these vessels — Decide.

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H 1183

H3KA

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

(For the candidates admitted during 2011, 2012, 2013 and 2014)

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. "Rule of law is one of the fundamental principles of the English legal system". Discuss how far it has affected the growth of Administrative law in England.
2. Distinguish between the concepts of "Permissible delegation" and "impermissible delegation" by Legislature to Executive in India.
3. Discuss the concept of "No man should be condemned unheard" with the help of relevant cases as fundamental to the Principle of Natural Justice.

PART B — (2 × 7 = 14 marks)

Answer TWO of the following in about 300 words each.

4. Identify the reasons for the growth of Administrative Tribunals and the constitutional validity of the Administrative Tribunals Act, 1985 in India.
5. "If there is failure to exercise discretion on the part of the authority the action will be bad". Discuss the Judicial review of administrative discretion by referring to decided case laws.
6. Identify the writ whose principle aim is to provide for a swift judicial review of alleged unlawful detention. Examine the object, who may apply, against whom it may apply, the procedure and other chief characteristic features which distinguishes it from other Writs?

[P.T.O.]

PART C — (5 × 4 = 20 marks)

7. Write short notes on FIVE of the following :
- (a) RTI
 - (b) Declaration
 - (c) Doctrine of Proportionality.
 - (d) Liability of State in contracts.
 - (e) Right to Counsel.
 - (f) Post decisional hearing.
 - (g) Droit Administratif

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. There were few states under the direct administration of the Central Government, without a Legislature of their own. Tampa being one of these. The Parent Act authorised the Central Government to extend to any part, with such restrictions and modifications as it thought fit, any enactment in force in a Part A State. It was given the power to repeal or amend any corresponding law which might be operative at the time in the Part C States concerned. Discuss the extent of validity of such laws in India.
9. Aroma Industry appointed a disciplinary authority to make an enquire into the misconduct alleged against Ram. The disciplinary authority denied the request of the delinquent employee Ram, to engage a counsel to defend him, while the case against him was handled by a trained prosecutor by the other side. Decide on the validity of such order of the disciplinary authority.
10. The State Government referred a dispute to the Industrial Tribunal which was not an industrial dispute within the meaning of the Industrial Disputes Act 1947. An award was passed by the Industrial Tribunal in this case. Discuss the scope and extent of the enforceability of such award and decide the validity of the Government's action.

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H 1184

H3KB

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

(For the candidates admitted from 2011 to 2014)

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. What is charge? State its object. State briefly the particulars to be mentioned in a charge.
2. Discuss briefly the provisions of the Criminal Procedure Code ensuring a fair criminal trial.
3. Describe the special characteristics of Juvenile Justice Board.

PART B — (2 × 7 = 14 marks)

Answer TWO of the following in about 300 words each.

4. Discuss the hierarchy and constitution of criminal courts in India.
5. When a person is entitled to be released on probation in accordance with Probation of Offenders Act?
6. Summarise the provisions relating to the trial before a court of sessions.

PART C — (5 × 4 = 20 marks)

7. Write short notes on FIVE of the following :
 - (a) Jail appeal
 - (b) Cognizable offence
 - (c) Inquest
 - (d) Public prosecutor
 - (e) Inherent powers of the High Court
 - (f) Neglected children
 - (g) Social Investigation Report.

[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' a foreigner, lands at Hyderabad without a valid passport. He travels to Madurai and then to Chennai. Finally he is arrested at Trichy. Decide where 'A' can be prosecuted.
 9. A Magistrate of the first class grants pardon to an accomplice at the stage of investigation. Discuss the validity of the order passed by the Magistrate.
 10. A judicial magistrate conducts summary trial of an offence punishable with three years imprisonment. The magistrate finds him guilty and imposes six months imprisonment. Examine the legality of the judgement.
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Register No.

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H 1185

H3KC

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

(For the candidates admitted during 2011, 2012, 2013 and 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. Explain the provisions relating to suits by or against government or public officers.
2. Describe the provisions relating to computation of period of limitation.
3. Discuss the various modes of execution of decree.

PART B — (2 × 7 = 14 marks)

Answer TWO of the following in about 300 words each.

4. How are Easements acquired by Prescription under the Limitation Act?
5. Discuss the power of Civil court in transfer of a suit.
6. What are the circumstances in which a Court may appoint a commissioner? Describe his powers and functions.

PART C — (5 × 4 = 20 marks)

7. Write short notes on FIVE of the following :
 - (a) Remand
 - (b) Joinder of parties and joinder of cause of action
 - (c) Cross decree and cross claims
 - (d) Caveat
 - (e) Receiver
 - (f) Substituted service
 - (g) Exparte

[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. Residential buildings were allotted by the Housing Board to the applicants who belonged to the lowest income group. After settlement of price, excess demand was made by the Board. The allottees challenged the demand by filing the suit in the representative capacity. Discuss the maintainability of the suit.
9. An assessment order was made against David by the Sales Tax officer. David challenged the order by way of writ petition before the High Court on the ground of violation of the principles of Natural justice. The High Court dismissed the writ petition on merits. After then, David filed another writ petition in the High court with some more additional points. Decide.
10. Summons was issued by the Court to Ramu to appear before the court for the purpose of giving evidence in a case. A request was made to the court on behalf of Ramu, stating that he is occupying high position in the society, so a commissioner may be appointed to examine him. Will it be entertained by the court? Give reasons.

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H 1186

H3KD

**B.L. (Hons.) DEGREE (SEMESTER) EXAMINATIONS,
NOVEMBER 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. "The domicile of Origin is regarded by English law as fundamentally different from a domicile of Choice" - Examine.
2. Describe the conflicting theories of Private International law in determining the essential validity of Marriage.
3. Define foreign Judgement. Explain the various procedures that govern the enforcement of foreign judgements under the Code of Civil Procedure, 1908.

PART B — (2 × 7 = 14 marks)

Answer TWO of the following in about 300 words each.

4. Distinguish between Public International law and Private International law.
5. Explain the exception to the rule of 'Lex Situs' pertaining to Property disputes.
6. Examine the various procedure for adoption of child in India.

PART C — (5 × 4 = 20 marks)

7. Write notes on FIVE of the following :
 - (a) Nationality
 - (b) Theory of Territoriality.
 - (c) Locus rigit actum.
 - (d) Maritime tort.

[P.T.O.]

- (e) Philips V. Eyre.
- (f) Udny vs. Udny.
- (g) Hague Conventions.

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. Nazrin, an English domiciled man, entered into a contract for marriage in Germany with his deceased wife's sister domiciled in Germany. Decide the status of the Marriage.
 9. Ren, an English woman, domiciled at Italy left all her property leaving her only son 'Runax'. After Ren's death, Runax filed a petition in England claiming right over the Property. Decide.
 10. Dr. Thiran, a Kerala born man studied in United Kingdom and acquired his domicile in UK. Dr. Thiran, in letters to his friends, repeatedly said he would go back to India. Is it a ground for acquisition of domicile by choice? Decide.
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Register No.

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H 1187

H3KE

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

(For the candidates admitted from 2011 to 2014)

Third Year — Fifth Semester

INTERPRETATION OF STATUTES

Time : 2½ hours

Maximum : 70 marks

PART A — (2 × 12 = 24 marks)

Answer TWO of the following in about 500 words each.

1. Define Statute law. Explain the Schools of Textualism and that of Purposivism.
2. Examine the work of the Law commission of India in the context of Amendments as to the General Clauses Act.
3. Explain the significance of the rule of Systematic interpretation. Illustrate with the help of decided cases.

PART B — (2 × 7 = 14 marks)

Answer TWO of the following in about 300 words each.

4. "Constitution is considered to be living law, therefore it attracts liberal interpretation" – Discuss.
5. Elaborate the utility as to the subsidiary rule of ejusdem generis.
6. Examine the role of the Department of Legislative drafting.

PART C — (5 × 4 = 20 marks)

7. Write short notes on FIVE of the following :
 - (a) Legal fiction
 - (b) Interpretation of treaties
 - (c) Dictionaries as extrinsic aid

[P.T.O.]

- (d) Modified rule of construction
- (e) Causus Omissus
- (f) Interpretation of fiscal statutes
- (g) Doctrine of Good faith in interpretation.

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' prohibits 'Y' from using a public well, citing inferior caste. Subsequently, for a charge under untouchability as an offence, 'X' argues that, due to the absence of the definition of untouchability under the Constitution, he cannot be tried, as it amounts to violation of article 20(1) of the Constitution. Whether the argument of 'X' is valid?
9. 'M', a public spirited citizen, approaches the Supreme Court to issue appropriate directions, to the relevant States, in the context of Right to Water as a Fundamental Right and that of inter linking of Rivers. During the proceedings, the court observes that, due to the 'Bar on jurisdiction clause' envisaged by the Indian legislations on the subject matter, it cannot intervene. Discuss.
10. 'X', a Joker employed in the circus, gets injured while assisting 'Y' a co-employee in the 'Ring of Fire' drill. The employer refuses to pay compensation on the ground of added peril. Decide.

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H 1188

H3KG

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

(For the candidates admitted during 2011, 2012 and 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. Define Environment. Examine the power of the Central Government to issue notifications under the Environment Protection Act, 1986.
2. Examine the significance of the Rio Declaration on Environment and Development, 1992.
3. "The Constitution of India imposed an obligation on the States and Citizens to protect the Natural Environment" – Elucidate.

PART B — (2 × 7 = 14 marks)

Answer TWO of the following in about 300 words each.

4. Describe the legal provisions in the Indian Penal Code regarding abatement of Public Nuisance.
5. Examine the salient features of Noise Pollution Rules, 2000.
6. Explain the importance of public participation in environmental decision making.

PART C — (5 × 4 = 20 marks)

7. Write notes on FIVE of the following :
 - (a) United Nations Environment Programme.
 - (b) Brundtland Commission Report.
 - (c) Environmental Laboratory.
 - (d) Ratlam Municipal Corporation-Vs. Vardichand.

[P.T.O.]

- (e) M.C. Mehta-Vs. Kamal Nath
- (f) Absolute Liability
- (g) Eco-Mark.

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 State government granted mining of limestone licence to 'A', in an ecologically sensitive area. People's Union, a voluntary organisation filed a writ petition for stopping mining activities. 'A' challenged that he got a valid licence and that he had right to carry on any trade or business. Decide.
9. Rio Dyers (P) Ltd., let its untreated effluents in the Noyyal river. The farmers' association filed a complaint to the State Pollution Control Board and closure order was passed by the Board. Rio Dyers (P) Ltd., challenges the closure order. Decide.
10. The Government of West Bengal took a policy decision to construct a Five Star Hotel on land from Zoological garden. The allotment was challenged before the High Court on the ground that it would create a serious environmental degradation. Decide.

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H 1189

H3KH

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

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

Third Year — Sixth Semester

LAW OF TAXATION

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 tax liability of every person for the payment has been determined by the residential status. Argue.
2. Discuss about the income falling under the head of income from salary and the exempted income under the Income Tax Act.
3. Define Asset. Discuss about the various Assets under the Wealth Tax Act.

PART B — (2 × 7 = 14 marks)

Answer TWO of the following in about 300 words each.

4. Write a note on the income taxable capital gain under the Income Tax Act.
5. Explain the procedure for assessments under the Wealth Tax Act.
6. Examine the permissible deduction which are applicable for savings.

PART C — (5 × 4 = 20 marks)

7. Write short notes on FIVE of the following :
 - (a) Progressive taxing system
 - (b) Agricultural income
 - (c) Self occupied house
 - (d) Special class assessee
 - (e) Net wealth
 - (f) Dealers
 - (g) Goods.

[P.T.O.]

PART D — (2 × 6 = 12 marks)

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

8. State how the following are treated for the assessment of income tax for the assessment year 2016 – 2017.
- (a) Payment towards medical treatment by senior citizens.
 - (b) Donations to political parties.
 - (c) Deductions for persons with disability.
9. The total salary of Mr. R in 2015 – 16 is Rs. 6,56,750/- p.a. He is paying Rs. 80,000/- p.a. as house rent. He contributed Rs. 1,76,350/- p.a. for the pension credit system. He is receiving Rs. 72,000/- p.a. as HRA. He is paying Rs. 50,000/- p.a. towards medical insurance premium. Calculate the income tax to be paid by Mr. R for the assessment year 2016-17.
10. On March 31st, 2016, Mrs. R has the following assets.
- (a) 3 BMW cars each valued Rs. 90,00,000/-
 - (b) 2 Houses each valued Rs. 50,75,000/-
 - (c) Gold jewellery and precious stones worth about Rs. 1,00,00,000/-
 - (d) Cash in hand Rs. 1,00,000/-

Out of 2 houses she resides in one and out of 3 cars, she hired out 2 cars to convey VIPs to a Star Hotel for commercial purpose. Calculate the wealth tax of Mrs. R for the assessment year 2016 – 17.

Register No.

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H 1190

H3KJ

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

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

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 objectives and functions of IBRD.
2. "The adoption of the Charter of Economic Rights and Duties is the most significant achievement in the direction of solution to the problems posed by economic inequality in the world" - Elucidate.
3. Explain the various theories of International Trade.

PART B — (2 × 7 = 14 marks)

Answer TWO of the following in about 300 words each.

4. Enumerate the significance of UNCITRAL.
5. Explain the concept of Dumping and Anti-Dumping and examine its role in International trade.
6. Explain the structure and functions of GATT.

PART C — (5 × 4 = 20 marks)

7. Write short notes on FIVE of the following :

- (a) TRIMS
- (b) SAFTA
- (c) ASEAN
- (d) TBT
- (e) TRIPS
- (f) FDI
- (g) International Trade organization.

[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. Republic of Jagadeesh and Kingdom of Pragadeesh were the super power nations in the world. "Raakesh", a newly formed developing State, got independence from a theocratic State "Jitendra". Raakesh is rich in medicinal herbs and also that is the only livelihood for this State. In order to acquire the medicinal herbs, Republic of Jagadeesh and Kingdom of Pragadeesh enter into treaty with State Raakesh for supply of first quality medicinal herbs for the next fifty years. Whether this treaty is valid?
9. Isha and Misha are the two neighbouring States in the South Asia. River Krishna flows through the above said States and finally it ends in Indian Ocean. Isha State wants to construct a dam on River Krishna restricting the flow towards Misha State. This created tension in South Asian Region. So, the matter is placed before the Asian Court. Is it maintainable?
10. "Sangli", a communist State, in a Asia-Pacific region purchased an Open Source Software "e-malar" and informed its citizens to develop a programme which can be used for all the back-end programs. This made the citizens to crack the other software programs with the help of "e-malar" So, the other software manufacturer filed a case before the international forum stating that there is violation of TRIPS agreement by the State Sangli. Can Sangli succeed the case?

Register No.

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H 1191

H3KK

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

(For the candidates admitted from 2011 to 2013)

Third Year — Sixth Semester

COMPETITION LAW

Time : 2½ hours

Maximum : 70 marks

PART A — (2 × 12 = 24 marks)

Answer TWO of the following in about 500 words each.

1. Trace the Origin of the Competition Act, 2002, bringing out the deficits in the MRTP Act, 1969 which lead to the enacting of the Competition Act.
2. Discuss the various types of Anti-Competitive Agreements.
3. Explain the meaning of combination as found in the Competition Act and the types of combinations.

PART B — (2 × 7 = 14 marks)

Answer TWO of the following in about 300 words each.

4. Explicate the salient features of the Federal Trade Commission Act, 1914.
5. Expound the composition, duties, powers, functions of the Competition Appellate Tribunal and the procedure to be adopted for preferring appeals to the same.
6. "Intellectual Property rights and Competition are regarded as areas with conflicting objectives" – Discuss.

PART C — (5 × 4 = 20 marks)

7. Write short notes on FIVE of the following.
 - (a) Tie-in-arrangement.
 - (b) Restrictive trade practice

[P.T.O.]

- (c) Treatise on the functions of the European Union.
- (d) Penalties.
- (e) Market power.
- (f) Factors to be considered by CCI in determining adverse effect of a combination.
- (g) Cartel.

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 pharmaceutical Company entered into an agreement with its product distributor wherein one clause stated that the distributor will not make supplies to, chemists Doctor and Government or Private institution, even though he may accept the orders placed. The Company will sell directly to these customers. The distributor petitioned to the CCI objecting to the same. Decide.
9. 'AB & CO.' an electronic retail showroom compelled, its customers who buy television from its outlet to purchase a voltage stabilizer also. A customer objecting to this brought this to the notice of CCI. Decide.
10. Detron group specialized in equipment for packing of liquid and semi-liquid food products and had 55% of the relevant market in that market. Wector, the complainant, held 28% of that market. The complaint stated that Detron Company imposed unfair condition on the supply of machinery for filling cartons and that it was at predatory pricing too. Decide.

Register No.

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H 1192

H3KM

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

(For the candidates admitted during 2011, 2012 and 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. Analyse the provisions of the Information Technology Act 2000 that impose penalties for Cyber contraventions.
2. Discuss the various jurisdiction issues in Cyber Space.
3. Examine the concept of Domain. Name Disputes and its relevance in Cyber space.

PART B — (2 × 7 = 14 marks)

Answer TWO of the following in about 300 words each.

4. Discuss the relevance of anti-circumvention law to protect the interest of Copyright owner.
5. Explain the doctrine of Safe harbour in relation with ISP liability.
6. Explain the process of authentication of Electronic Record using Digital Signature.

PART C — (5 × 4 = 20 marks)

7. Write short notes on FIVE of the following :
 - (a) Reverse Engineering of computer programme
 - (b) Cloud computing
 - (c) Metatag
 - (d) Explain Peer 2 Peer Technology in the light of Napster Case
 - (e) Sliding Scale Test or Zippo test
 - (f) Freeman – Walter – Abele Test
 - (g) Identity theft.

[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 victim's email account password is stolen and the account is then misused for sending out malicious code (Virus, Worm, Trojan, etc.) to people in the victim's address book. The recipients of these viruses believe that the email is coming from a known person and run the attachment. This infect their computer with the malicious code. Discuss the liability.
9. A fake profile of a woman is created on a social network. The profile displays her correct name and contact information. Sometimes, it even has her photograph. The problem is that the profile describes her as a prostitute or a woman of "loose character" who wants to have sexual relation with anyone. Other social network members see this profile and start calling her at all hours of the day asking for sexual favour. This leads to a lot of harassment for the victim and also defames her in society. Bring out the liability of the accused and highlight the remedies available to the victim.
10. Nikhil is a professional photographer who has copyrighted many of his images. Those images were located either on his website or other websites with which Nikhil had licence agreement. Kelly corporation operating an Internet search engine, that displayed its result in the form of small pictures, obtained its database of pictures copying images from other websites. Nikhil when he discovered that his photographs were part of Kelly's search engine brought legal action against Kelly for copyright infringement. Decide.