

B. L. (Hons.)

LL. B. (Hons.)

NOVEMBER - 2017



The Tamilnadu Dr.Ambedkar Law University

(State university Established by Act No.43 of 1997)

SCHOOL OF EXCELLENCE IN LAW

“Perungudi Campus”, M.G.R. Salai, Perungudi, Chennai - 600 113.

Register No.

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H 1436

H31A/H31A/CH31A

**B.L. (Hons.)/LL.B. (Hons.) DEGREE (SEMESTER) EXAMINATIONS,
NOVEMBER 2017.**

(For the candidates admitted from 2011 to 2017)

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. Discuss the contribution of Dean Roscoe Pound to Jurisprudence.
2. Define Law and explain its sources.
3. Explain the concept of "Person" in the eyes of law.

PART B — (2 × 7 = 14 marks)

Answer TWO of the following in about 300 words each.

4. Elaborate the concept of 'Dharma' in Indian thought.
5. "Possession is nine out of ten points of Law" – Comment.
6. "Pure Theory of Law" – Comment the pros and cons.

PART C — (5 × 4 = 20 marks)

7. Write short notes on FIVE of the following :
 - (a) Jural Correlatives and Jural Opposites
 - (b) Right
 - (c) Title
 - (d) Liability
 - (e) Duty
 - (f) Interpretation of Law
 - (g) PIL.

[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. Anand orders an almirah from Babu, a retailer and pays the cash as demanded by Babu. Babu delivers the new almirah to Anand at his house. Without the knowledge of both Anand and Babu, the delivered almirah contains a box of jewels in its drawer. Who is considered as the person having legal possession? Fix the liability of both Anand and Babu.
9. Meganathan, is a law abiding citizen who is making his living by honest means. Unfortunately, he was implicated in a murder case. Police arrests him and the prosecution charges him with an act of crime. After a prolonged trial for 5 years, Meganathan was found guilty and the trial judge punishes him. So, he went for appeal. The Appellate Court found that Meganathan was no way connected to this case. Hence, Meganathan is acquitted and held as not guilty. The price of trial and the tension he had undergone had completely ruined him and his family. Why Meganathan should suffer without doing any fault? Fix the liability under criminal justice system.
10. Sujatha borrowed Rs.50,000 from Sindhuja and executed promissory note in favour of Sindhuja on 15th January 2012, stating that the money will be paid on demand. Sindhuja did not demand the money back till 15th January 2015 nor made any attempt to enforce that right. Fix the rights and duties made between those parties.

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H 1479

H31B/H31B/
CH31B

**B.L. (Hons.) LL.B. (Hons.) DEGREE (SEMESTER) EXAMINATIONS,
NOVEMBER 2017.**

(For the candidates admitted from 2011 to 2017)

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. What is the scope of privity of consideration under the Indian Contract Act? Distinguish it from privity of contract.
2. Explain the essentials of fraud as per the provisions of the Indian Contract Act. Discuss whether silence will amount to fraud.
3. Explain the nature and rationale of the Doctrine of frustration. Point out the circumstances in which the doctrine is applicable?

PART B — (2 × 7 = 14 marks)

Answer TWO of the following in about 300 words each.

4. What is meant by Quasi-contract? Give illustrations.
5. Explain the nature of damages in the law of contract. Mention the different types of damages.
6. "An intention to create legal relations has been held essential to the formation of a valid contract" – Discuss.

PART C — (5 × 4 = 20 marks)

7. Write short notes on FIVE of the following :

- (a) Revocation of proposal
- (b) Agreements in restraint of trade
- (c) Specific performance of contracts
- (d) Joint liability
- (e) Coercion
- (f) Wagering contract
- (g) Novation.

[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' agreed to sell 'B' a specific cargo of corn coming in a ship to be on its way from London to Mumbai. It turned out that before the day of the bargain the ship had been cast away and the goods lost. Discuss the rights of A and B.
 9. 'D' lived as a paying guest with a family. He agreed with the members of the family to share the prize money of a newspaper competition. The entry sent by 'D' won a prize of Rs.50,000. He refused to share the amount won. Can the members of the family recover their share?
 10. A owes B Rs.1,000 but the debt is barred by limitation. A gives a letter to B agreeing to pay him Rs.500 on account of the debt. Is this a valid agreement?
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H31C/H31C/CH31C

**B.L. (Hons.)/LL.B. (Hons.) DEGREE (SEMESTER) EXAMINATIONS,
NOVEMBER 2017.**

(For the candidates admitted from 2011 to 2017)

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. “You must take reasonable care to avoid acts or omissions which you can reasonably foresee would be likely to injure your neighbour” – Elucidate with relevant principle of Law of torts.
2. “Harm suffered voluntarily does not constitute a legal injury” – Explain.
3. “The liability for libel does not depend on the intention of the defamer, but on the fact of defamation” – Discuss.

PART B — (2 × 7 = 14 marks)

Answer TWO of the following in about 300 words each.

4. “An assault is one form of trespass to person” – Elucidate. Distinguish assault with battery.
5. Explain the principle of strict liability and its extension.
6. Distinguish between Public and Private nuisance.

PART C — (5 × 4 = 20 marks)

7. Write short notes on FIVE of the following :
 - (a) Joint Tort Feasors
 - (b) Kinds of damages
 - (c) “Novus actus Interveniens”

[P.T.O.]

- (d) False Imprisonment
- (e) Res ipsa loquitur
- (f) The Scienter Rule
- (g) Inevitable accident

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. Grass and hedges bordering the defendant's railway line were cut by its servants and negligently left there. Spark emanated from the passing railway engine, ignited the grass left there. The fire was carried away by wind 200 yards away to the plaintiff's cottage which was as a consequence completely destroyed. Discuss the liability of defendant company.
 9. A conductor of an overcrowded bus insisted passengers to travel on the roof of the bus. The driver ignored the fact that there were passengers on the roof and tried to overtake a car. While doing so, a passenger sitting on the roof was hit by the branch of a tree, he fell down and received severe injuries and then died. Advise.
 10. 'Y' was X's landlord and lived in the upper storey. 'Y' maintained a rain water box for the benefit of both. Some rats gnawed the water box with the result that the water escaped and damaged X's goods below. Discuss the liability of 'Y'.
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H 1438

H31D/H31D/CH31D

**B.L. (Hons.)/LL.B. (Hons.) DEGREE (SEMESTER) EXAMINATIONS,
NOVEMBER 2017.**

(For the candidates admitted from 2011 to 2017)

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. "All murders are culpable homicide; but all culpable homicide are not murder" – Examine.
2. Discuss the offence of acid attack with relevant provision of law and decided cases.
3. Trace the origin and development of modern criminal law in India.

PART B — (2 × 7 = 14 marks)

Answer TWO of the following in about 300 words each.

4. What is grievous hurt? Explain about voluntarily causing grievous hurt to exhort confession or to compel restoration of property.
5. Narrate the provisions of offences relating to Election.
6. Explain giving, fabricating or using False evidence.

PART C — (5 × 4 = 20 marks)

7. Write short notes on FIVE of the following :
 - (a) Distinguish between rioting and affray.
 - (b) Dowry death.
 - (c) Wrongful restraint and wrongful confinement.
 - (d) Thug.

[P.T.O.]

- (e) Assault and criminal force.
- (f) Cheating.
- (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 says Z is a honest man; he never stole B's watch. This statement was made with the intention to cause it to be believed that Z did steal B's watch. Whether A has committed any offence? – Decide.
9. A, knowing that B has murdered Z, assists B to hide the body with the intention of screening B from punishment. Whether A is liable?
10. A, in India, instigates B a foreigner in France, to commit a murder in Goa. Whether A is liable for the act of B? – Decide.

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H 1463

H31E/H31E/CH31E

**B.L. (Hons.)/LL.B., (Hons.) DEGREE (SEMESTER) EXAMINATIONS,
NOVEMBER 2017.**

(For the candidates admitted from 2011 to 2017)

First Year — First Semester

FAMILY LAW - I

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. Mention different types of Guardians under the Hindu Law and explain their powers and functions under the Hindu Minority and Guardianship Act, 1956.
2. "Marriage in Islam is only a contract and not a sacramental function" — Critically examine this statement and state the legal effects of valid and irregular marriage.
3. State the procedure for solemnisation of marriage by marriage Registrar under the Christian Law.

PART B — (2 × 7 = 14 marks)

Answer TWO of the following in about 300 words each.

4. Discuss the legal position of a woman to get divorce from her husband under the laws applicable to Hindus and Christians.
5. Explain the changes brought by the Hindu Adoptions and Maintenance Act, 1956 in the Hindu Law of Adoption.
6. What is Dower? What are the different kinds of Dower? State the remedies open to a wife to enforce her dower debt.

[P.T.O.]

PART C — (5 × 4 = 20 marks)

7. Write short notes on FIVE of the following :
- (a) Mithakshara School.
 - (b) Judicial separation under Hindu Law.
 - (c) Sapinda relationship.
 - (d) Doctrine of factum valet.
 - (e) Maintenance under Muslim Law.
 - (f) Sources of Muslim Law.
 - (g) Consequences of Marriage under the Special Marriage Act, 1954.

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 Hindu male married 'B' a Hindu female in 2002. In January 2005, both the parties filed a joint petition to District Court for Divorce by mutual consent. In March 2005, on the motion of both the parties, the district Court passed decree of divorce by mutual consent. Is the divorce valid?
- 9. A Muslim male married a Christian female under Islamic Law. Decide the validity of the marriage under Islamic Law and Christian Law.
- 10. Devika became a Christian by conversion and claimed maintenance from her Hindu husband. Is the claim valid?



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H 1439

H31F/H31F/CH31F

7/6

**B.L. (Hons.)/LL.B. (Hons.) DEGREE (SEMESTER) EXAMINATIONS,
NOVEMBER 2017.**

(For the candidates admitted from 2011 to 2017)

First Year — First Semester

LEGAL METHODS

Time : 2½ hours

Maximum : 70 marks

PART A — (2 × 12 = 24 marks)

Answer TWO of the following in about 500 words each.

1. "Legal methods focalises on the art of acquiring the skills to learn law and develop analytical abilities" - Discuss.
2. "Judicial methods in essence deals about the characterisation of a judgement and that of the modes to understand and apply the decisional law" - Examine.
3. Define Synopsis. Explain the various components of a Synopsis.

PART B — (2 × 7 = 14 marks)

Answer TWO of the following in about 300 words each.

4. Define interpretation. Discuss the significance of interpretation as consistent source of law.
5. Explain the utility of the General Clauses Act, 1897.
6. Discuss the qualities of a good researcher in Law.

PART C — (5 × 4 = 20 marks)

7. Write short notes on FIVE of the following :

- (a) Law Commission of India
- (b) Legal Fiction
- (c) Preamble
- (d) Natural Justice and Social Justice.
- (e) Interview Method
- (f) Legal Ethics
- (g) Multi-disciplinary Approach.

[P.T.O.]

PART D — (6 × 2 = 12 marks)

8. Answer SIX of the following very briefly.
- (a) Research Manual
 - (b) Foot notes
 - (c) Questionnaire
 - (d) Computer Assisted Legal Research
 - (e) Comparative Law
 - (f) Substantive Law and Procedural Law
 - (g) Question of fact and question of law.
 - (h) Custom.
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H 1440

H3IG/H32A/CH32A

**B.L. (Hons.)/LL.B. (Hons.) DEGREE (SEMESTER) EXAMINATIONS,
NOVEMBER 2017.**

(For the candidates admitted from 2011 to 2016)

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. Discuss the extent of the liability of surety and co-sureties and the situations when a surety is relieved from liability.
2. Define the term Pledge stating how it differs from Bailment. Explicate the duties of a gratuitous bailor and bailor for reward.
3. Expound the various modes by which a contract of agency is terminated.

PART B — (2 × 7 = 14 marks)

Answer TWO of the following in about 300 words each.

4. Analyse the relief available to seller and buyer under the Sale of Goods Act.
5. Explain the significant features of a partnership and differentiate it from business of the Hindu undivided family.
6. Define the term Lien. Explain the kinds of lien and when the right of lien is lost.

PART C — (5 × 4 = 20 marks)

7. Write short notes on FIVE of the following :
 - (a) Hypothecation
 - (b) Kinds of Guarantee
 - (c) Mercantile agent

[P.T.O.]

- (d) Sub agent and substituted agent
- (e) Minor as a partner
- (f) Passing of property
- (g) Rights of pawner.

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 goes to a shop and places her umbrella on a table there. After purchase leaves the place. Finds her umbrella missing. Remembers to have left it in the shop and she returns and claims. They cannot find it and refuse to compensate for the loss. She files a suit claiming from the shop's proprietor as damages the pecuniary value of the umbrella. Decide.
9. A partnership firm was registered with four partners. Later the firm takes a loan from C&D Co. Ltd. Thereafter a minor is inducted into the firm as a partner on the demise of an existing partner. C&D Co. Ltd. sues the partnership firm for recovery of Loan. Decide.
10. B is appointed as agent of A to collect the rent due from the tenants occupying a premises owned by A. A instructs B to receive the rent only in cheque form. B receives rent from tenant D in cash and misappropriates the same. A sues D for rent due. Decide.

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H 1441

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**B.L. (Hons.)/LL.B. (Hons.) DEGREE (SEMESTER) EXAMINATIONS,
NOVEMBER 2017.**

(For the candidates admitted from 2011 to 2016)

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. "Art. 14 of the Indian Constitution forbids class legislation but does not forbid reasonable classification" – Discuss with relevant case law.
2. Critically examine right to privacy guaranteed under the Indian Constitution.
3. Explain the concept of secularism enshrined under the Indian Constitution.

PART B — (2 × 7 = 14 marks)

Answer TWO of the following in about 300 words each.

4. "Pre-censorship is invalid but film-censorship is valid" – Critically examine.
5. Explain the various modes of acquiring citizenship of India under the Citizenship Act, 1955.
6. Examine the definition of 'state' under Art.12 of the Indian Constitution with special reference to Airport Authority case.

PART C — (5 × 4 = 20 marks)

7. Write short notes on FIVE of the following :
 - (a) Constitutional conventions
 - (b) Exclusion of creamy layer

[P.T.O.]

- (c) Right to die
- (d) Habeas corpus
- (e) Principles to be followed by the state for securing Economic Justice
- (f) Uniform civil code
- (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 person was detained on the charge of cheating. There was a stretched trial nearly for twelve (12) years. Inordinate delay was caused due to prosecution in not taking steps to produce and examine witnesses before trial Court in the beginning. But prosecution argued that though there was undue delay in the beginning his (accused) freedom had not been affected as he was on bail. Justify the case.
9. Managing trustee of Cinema Art foundation had produced a documentary film on a national man made disaster titled "Beyond Genocide". The same was awarded with golden lotus being the best non-feature film. The trustee submitted his film to Doordarshan to telecast. But it was refused to telecast on the ground that the contents of the film were outdated – Decide.
10. National curriculum framework for Secondary School Education has included religious based instructions in their curriculum. That was challenged as an attempt to saffronise education and anti-secular – Decide the validity of the curriculum framework.

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H 1442

H3II/H32C/CH32C

**B.L. (Hons.)/LL.B. (Hons.) DEGREE (SEMESTER) EXAMINATIONS,
NOVEMBER 2017.**

(For the candidates admitted from 2011 to 2016)

First Year — Second Semester

PROPERTY 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. Discuss the effects of condition restraining alienation of property and of restrictions on the enjoyment of property.
2. Explain the principle and conditions of the application of the doctrine of lis pendens.
3. Explain the various modes of acquisition of Easements.

PART B — (2 × 7 = 14 marks)

Answer TWO of the following in about 300 words each.

4. Explain the essentials for the application of the Doctrine of Elections.
5. Define Mortgage. Distinguish a mortgage by conditional sale and sale with a condition for repurchase.
6. Define Lease and enumerate the rights and duties of the lessor and lessee.

PART C — (5 × 4 = 20 marks)

7. Write short notes on FIVE of the following :
 - (a) Attestation
 - (b) Conditional transfer
 - (c) Ostensible owner
 - (d) Vendor's lien

[P.T.O.]

- (e) Doctrine of Marshalling
- (f) Revocation of gift
- (g) Exchange.

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' who was not the owner of a land makes an agreement with B to sell the land. Later A gets title over the land but refuses to sell it to B. Advise B.
 9. Mani sells a house to Kumar. Kumar executes an agreement that he will sell the house only to Mani and only if Mani declines to purchase, then to any other person. Is the agreement valid?
 10. 'A' publishes a libel upon 'B'. 'B' transfers his right to sue 'A' to 'C'. Discuss the validity of the transfer.
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H 1443

H3IJ/H32D/CH32D

**B.L. (Hons.)/LL.B. (Hons.) DEGREE (SEMESTER) EXAMINATIONS,
NOVEMBER 2017.**

(For the candidates admitted from 2011 to 2016)

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 a Magna Carta in respect of Hindu women's property right" – Explain.
2. Explain the term 'Hiba' under Muslim Law. Explain the requirements for completion of Hiba.
3. Explain the various provisions for execution of privileged will and unprivileged will.

PART B — (2 × 7 = 14 marks)

Answer TWO of the following in about 300 words each.

4. Explain the rules of inheritance for Stridhana property before the passing of the Hindu Succession Act, 1956.
5. What is Partition? Explain the various modes of partition under Mitakshara Law.
6. What is lapse of legacy? Point out the difference between Abatement and Ademption of legacies.

PART C — (5 × 4 = 20 marks)

7. Write short notes on FIVE of the following :
 - (a) Pious obligation.
 - (b) Doctrine of cypres.
 - (c) Pre-emption.

- (d) Probate and Letters of administration.
- (e) Executor de son tort.
- (f) Wakf – alal – aulad.
- (g) Codicil.

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 male Hindu dies intestate leaving his divorced wife, two sons, brother and sister. Distribute his property.
 9. A Hanafi Muslim dies leaving his widow, father, son and daughter. Distribute the estate.
 10. A female Hindu inherited property from her father. Then she died leaving her mother, husband, two sons and a daughter. Distribute her estates.
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H 1446

H3JA/H33A/CH33A

**B.L. (Hons.)/LL.B. (Hons.) DEGREE (SEMESTER) EXAMINATIONS,
NOVEMBER 2017.**

(For the candidates admitted from 2011 to 2016)

Second Year — Third Semester

CONSTITUTIONAL 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. Explain how the President of India is being elected. Point out the procedure for settling the election dispute of the President.
2. Describe the different rules of interpretation of legislative entries of the seventh schedule of the Constitution of India. Refer to decided cases.
3. Examine the 'Doctrine of Pleasure' and the restrictions with the help of decided cases.

PART B — (2 × 7 = 14 marks)

Answer TWO of the following in about 300 words each.

4. Explain the dual capacity of Governors of States under the Constitution of India.
5. "The King can do no wrong" – Refer to decided cases on sovereign immunity.
6. Describe the reforms of the Election Commission of India in the Lok Sabha Elections, 2014.

PART C — (5 × 4 = 20 marks)

7. Write short notes on FIVE of the following :
 - (a) Double Veto.
 - (b) Court of Record.
 - (c) Doctrine of occupied field.
 - (d) Full faith and credit clause.

[P.T.O.]

- (e) S.R. Bommai - vs. - Union of India.
- (f) L. Chandra Kumar - vs. - Union of India.
- (g) Anti-Defection 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. State of Rajasthan passed a law restricting the use of sound amplifiers. The law was challenged on the ground that the subject matter of legislation fell under entry 31 List I 'Broadcasting and other like forms of communication'. The state contended that the law was within the legislative competence of the State Legislature as it fell under Entry 6 of List II. Decide.
9. The Assam Legislative Assembly enacted a law imposing a tax on goods including tea carried by road or inland waterways over any part of the territory of the state. The Act was challenged on the ground that it was restricting the freedom of trade and commerce guaranteed under Article 301 of the Constitution of India. Decide.
10. An ordinance was passed by the President of India when both Houses of the Parliament were not in session in 2014. The opposition party strongly objected on the ground that the President has exercised the power improperly. Decide.

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H 1447

H3JB/H33B/CH32E

**B.L. (Hons.)/LL.B. (Hons.) DEGREE (SEMESTER) EXAMINATIONS,
NOVEMBER 2017.**

(For the candidates admitted from 2011 to 2016)

Second Year — Third Semester / First Year — Second Semester

LABOUR LAW — I

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. Discuss the role of ILO in setting labour standards.
2. Define Trade Unions and discuss the powers and functions of Registrar under the Trade Unions Act, 1926.
3. Enumerate the types of strike and discuss the conditions in which a strike is deemed to be illegal under the Industrial Disputes Act, 1947.

PART B — (2 × 7 = 14 marks)

Answer TWO of the following in about 300 words each.

4. Discuss the powers and functions of authorities under the Minimum Wages Act, 1948.
5. Discuss the procedure for submission and certification of standing orders under the Industrial Employment (Standing Orders) Act, 1946.
6. Define retrenchment and discuss the conditions for valid retrenchment under the Industrial Disputes Act, 1947.

PART C — (5 × 4 = 20 marks)

7. Write short notes on FIVE of the following :

- (a) Unfair labour practices.
- (b) Living wage.

- (c) Advisory Boards.
- (d) Closure.
- (e) Protected workman.
- (f) Standard of living theory of wages.
- (g) Collective bargaining.

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. Kumar was employed as a clerk in the Divisional Forest Office in 1995. The employment of Kumar was discontinued after 5 years and the Union raised a dispute. The Government refused to refer the dispute for adjudication on the ground that the said department was not an industry – Decide.
9. The registration of the Trade Union was cancelled for contravention of the provisions of Section 28, by failing to send annual returns. Later on, the Registrar of trade union withdrew the cancellation of registration on the ground that the returns have been submitted subsequently. Decide the legality of withdrawal of cancellation of registration of trade union by the Registrar.
10. Ramu, an employee of Municipal Council was receiving wages better than the minimum rate of wages fixed under the Minimum Wages Act. He claimed overtime wages under Section 14 of the Minimum Wages Act which was allowed by the Labour Court. This order was challenged by the Municipal Council – Decide.

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H 1448

H3JC/H33C/CH33C

**B.L. (Hons.)/LL.B. (Hons.) DEGREE (SEMESTER) EXAMINATIONS,
NOVEMBER 2017.**

(For the candidates admitted from 2011 to 2016)

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. "Only if the parties agree thereto, a source could be relied on in the International Court of Justice" – Comment.
2. "A state is and becomes an international person through recognition only and exclusively" – Analyse with the help of various theories of State recognition.
3. Examine the law relating to Asylum. Refer to decided cases.

PART B — (2 × 7 = 14 marks)

Answer TWO of the following in about 300 words each.

4. "International Law is the vanishing point of Jurisprudence" - Holland – Examine.
5. Analyse the immunities and privileges of diplomatic envoys.
6. Examine the primary responsibility of the Security Council under the United Nations System.

PART C — (5 × 4 = 20 marks)

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

- (d) Right to Hot pursuit.
- (e) Vassal states.
- (f) Lotus Case.
- (g) Clean Slate theory.

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 'T' and 'P' are using the portion of the sea and its passage for commercial purpose with certain conditions as precedent. But in due course the state 'P' has violated the condition. State 'T' has approached the ICJ. Is it sustainable? Decide.
9. Ambassador of state 'B' in a state 'A' voluntarily offers assistance of his State's Military Intelligence Agency in investigating a bomb blast in state 'A'. Will this amount to breach of diplomatic privilege? Decide.
10. A group of refugees belonging to state 'R' entered into state 'M'. State 'M' is not a signatory to the Refugee Convention and compelled the refugees to go outside the state 'M'. Whether 'M's' action is justifiable under international law? Decide.

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14

H 1465

H3JD/H33D

**B.L. (Hons.)/LL.B. (Hons.) DEGREE (SEMESTER) EXAMINATIONS,
NOVEMBER 2017.**

(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 impact of Bank Nationalisation on the Indian economy.
2. "Banker has a duty of confidentiality towards the customers" – Discuss.
3. Describe the provisions relating to dishonour of cheques under the Negotiable Instruments Act.

PART B — (2 × 7 = 14 marks)

Answer TWO of the following in about 300 words each.

4. Explain the liability of banker in case of bank robberies.
5. Discuss the rights and duties of a collecting banker.
6. Define holder and holder in due course and describe their rights.

PART C — (5 × 4 = 20 marks)

7. Write short notes on FIVE of the following :

- (a) State Bank of India
- (b) Banking Ombudsman
- (c) Crossing
- (d) Negotiation
- (e) Debt Recovery Tribunal
- (f) Safety Deposit Lockers
- (g) Vicarious liability of Bank employees.

[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, the payee holder of a bill indorsed it in blank and delivered it to B. 'B' also indorsed it in blank and delivered it to 'C'. 'C' indorsed it in full to 'D' or order. D without indorsement delivered it to E. What are E's rights and against whom?
 9. "I promise to pay 'B' Rs. 5,000 on the death of 'C' provided he leaves me sufficient amount to pay the sum" – Decide whether the above is a promissory note.
 10. A bill of exchange is accepted at B & Co., but subsequently it is altered by the holder by crossing the name of B & Co. and substituting the name of C & Co. Discuss the liability of the acceptor to the holder after such alteration.
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H3JE/H33E/CH33E

H 1449

**B.L. (Hons)/LL.B. (Hons.) DEGREE (SEMESTER) EXAMINATIONS,
NOVEMBER 2017.**

(For the candidates admitted from 2011 to 2016)

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. Critically examine the impacts of TRIPs agreement on patent regime in India.
2. Distinguish between 'Infringement' action and 'passing off' action under the Trade Marks Act in India. Refer to decided cases.
3. Explain in detail the works in which copyright exists and state the rights of the copyright owner.

PART B — (2 × 7 = 14 marks)

Answer TWO of the following in about 300 words each.

4. Describe the rights and obligations of a patentee.
5. Analyse the procedure for registration of designs under the Designs Act, 2000.
6. Explain the power and functions of the World Trade Organization.

PART C — (5 × 4 = 20 marks)

7. Write short notes on FIVE of the following.
 - (a) Patentable Inventions
 - (b) Deceptive similarity.
 - (c) Copyright Society
 - (d) Lay Observer Test

- (e) Trade Secrets
- (f) Hoover Ltd. Vs. Airway Ltd.
- (g) Patent Agent.

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. Nayanan is a proprietor of a tutorial college, Victory. Mr. Nayanan, collected all the SSLC, public exam question papers from his son, Neethiman for the academic years 2004-2006. In 2010, Mr. Nayanan, bound all the questions along with his own sets of question papers in a booklet form and distributed it to all his tutorial students at the cost of Rs.200. Whether Mr. Nayanan violated the copyright? Decide.
9. Zychone, a tribe, discovered that a particular variety of Eucalyptus park prevents Swine flu. He approached a pharmaceutical company for want of getting patent right and the company submits a patent application. It was opposed by the tribals due to the fact that they have been using it from time immemorial without publishing the same. Will the tribal succeed? Decide.
10. Countries 'A', 'B' and 'C' have signed the TRIPs agreement. The country 'A' gives more Intellectual property protection to the country 'B' than to the country 'C' because of constrained diplomatic relationship between country 'A' and 'C'. Is it violative of WTO? Decide.

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H 1450**H3JG/H34A**

**B.L. (Hons.)/LL.B. (Hons.) DEGREE (SEMESTER) EXAMINATIONS,
NOVEMBER 2017.**

(For the candidates admitted from 2011 to 2015)

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. “The Courts will lift the corporate veil when it is essential to secure justice, in public interest or for the benefit of revenue” – Discuss.
2. “Prospectus is an important document that serves various purposes for both companies and investors” – Explain this statement with special reference to liabilities for misstatements in the Prospectus.
3. “Directors and Managers represent the directing mind or will of the company and control what it does” – Discuss.

PART B — (2 × 7 = 14 marks)

Answer TWO of the following in about 300 words each.

4. Explain the provisions relating to oppression and mismanagement under the Companies Act 2013.
5. “Companies Act 2013 features extensive changes within the area of audit and auditors with a view to enhance audit effectiveness and accountability of auditors” – Discuss.
6. “The memorandum and articles shall when registered bind the company and the members of the company to the same extent as if they had been signed by the company and by each member” – Discuss with the help of decided cases.

PART C — (5 × 4 = 20 marks)

7. Write short notes on FIVE of the following :

- (a) Preference of shares
- (b) Independent Director
- (c) Corporate Social Responsibility
- (d) Promoters
- (e) Debentures
- (f) Doctrine of Constructive Notice
- (g) NCLT

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. 'P', a shareholder in a company, gave a letter to the company transferring his shares to 'R'. 'R' submitted the letter along with the share certificate to the company and requested it to register the transfer. Company refused to do so. Discuss the remedy to 'R'.
 - 9. A company has issued a prospectus to the public stating that the company has paid dividend regularly and the prospectus is silent relating to the sources of profits. The fact is that the company has incurred losses for all the last 5 years. Y, a shareholder claimed that the prospectus is false. Decide.
 - 10. Alok, the Managing Director of Yellow Ltd. borrowed a large sum of money and misappropriated the same. Later when the lender demanded his money, the company refused to repay contending that the money borrowed by the Managing Director was misappropriated by him and the company is not liable for repayment. Decide.
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17

H 1452

**H3J1/H34C/
CH33D**

**B.L. (Hons.)/LL.B. (Hons.) DEGREE (SEMESTER) EXAMINATIONS,
NOVEMBER 2017.**

(For the candidates admitted from 2011 to 2016)

Second Year — Fourth Semester/Third 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 about the relevancy of evidence of third persons under the Indian Evidence Act.
2. Adversary system of criminal justice system imposes the burden of proof on the complainant or the State. Critically analyse the scope of the Indian Evidence Act with regard to burden of proof.
3. Comparatively analyse the scope and applicability of Art. 20(3) of the Constitution of India with regard to the appreciation of witnesses.

PART B — (2 × 7 = 14 marks)

Answer TWO of the following in about 300 words each.

4. Examine the evidentiary value of documentary evidence.
5. Examine the circumstances when a person cannot be called as witness.
6. Define Admission. Differentiate admission and confession.

PART C — (5 × 4 = 20 marks)

7. Write short notes on FIVE of the following :

- (a) Disproved and not proved
- (b) May presume and shall presume
- (c) Oral evidence
- (d) Public document
- (e) Estoppel
- (f) Cross examination
- (g) Accomplice.

[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. Mr. X is employed to receive money from the debtors of Mr. Y. It is his duty to make entries in a book showing the amounts received by him. He makes an entry showing that on a particular occasion he received less than he really did receive. Decide whether the entry is accidental or intentional.
9. Mr. A agrees to sell to B, the land at X in the occupation of 'Y'. Mr. A has land at X, but not in the occupation of Y, and he has land in the occupation of 'Y', but it is not at X. Decide whether the facts have been proved by its language.
10. Mr. X deposed before the court of session on his trial that the judicial magistrate has improperly recorded the deposition of him. Decide whether the judicial magistrate can be compelled to answer this question of Mr. X.

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H 1486

H3JK/H34E

**B.L./LL.B. (Hons.) DEGREE (SEMESTER) EXAMINATIONS,
NOVEMBER 2017.**

Second Year — Fourth Semester

(For the candidates admitted from 2011 to 2015)

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. “There are two forms of action under admiralty law, one is *action in rem* and the other is *action in personam*” – Discuss the same with relevant case laws.
2. Trace the evolution of Admiralty Law in England and India.
3. Bring out the regulations regarding the ownership and management of ships in India.

PART B — (2 × 7 = 14 marks)

Answer TWO of the following in about 300 words each.

4. Discuss the Civil and Criminal jurisdiction over the ships with relevant case laws.
5. Critically analyse the principles and issues involved in the arrest of sea going ships.
6. Discuss the ratio derived from the M.V. Elizabeth and others vs. Harwan Investment and trading case.

PART C — (5 × 4 = 20 marks)

7. Write short notes on FIVE of the following :
 - (a) Salvage.
 - (b) EEZ.
 - (c) Continental Shelf.
 - (d) IMO.

[P.T.O.]

- (e) Flag of Convenience.
- (f) Piracy.
- (g) Ship Mortgages.

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 mobile offshore drilling unit was arrested for the purpose of obtaining security in relation to a dispute under a sub-charter party, which was referred to arbitration. An application was filed by the defendant to set aside the arrest on the ground that the drilling unit was not a ship. Decide.
 9. The registered owner X of the ship TB sold her to Y, who was then registered as owner, but X retained the possession pending payment of the purchase price. Upon the failure of Y to pay the due, X exercised his statutory lien and resold TB to Z. Whether the sale is valid? Decide.
 10. A worker X was climbing down the ladder of the ship Y, which is berthed adjacent to the walls of the port. At that time, a huge vessel W crossed near the ship Y in a high speed creating huge waves. The waves struck the ship Y and caused it to shake violently. Because of this X was crushed between the ship and the walls of the port. The dependents of X claimed damages and issues writ in rem to arrest the vessel W. Decide.
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19

H 1455

H3KB/H35B

**B.L. (Hons.)/LL.B. (Hons.) DEGREE (SEMESTER) EXAMINATIONS,
NOVEMBER 2017.**

(For the candidates admitted from 2011 to 2015)

Third Year — Fifth Semester

LAW OF CRIMES - II

**(CRIMINAL PROCEDURE CODE, 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. Define Charge. What are the particulars contained in the Charge? When it can be amended or altered?
2. What do you mean by the word F.I.R? And elaborate its evidentiary value during the course of trial procedure.
3. Explain the procedure provided under the Code of Criminal Procedure to compel the appearance of an accused person.

PART B — (2 × 7 = 14 marks)

Answer TWO of the following in about 300 words each.

4. Bring out the various rights available to the arrested person as guaranteed by the code.
5. Explain the powers and jurisdiction of criminal courts.
6. Explain the provisions relating to maintenance of wife and children under the Criminal Procedure Code.

[P.T.O.]

PART C — (5 × 4 = 20 marks)

7. Write short notes on FIVE of the following :
- (a) Disputes as to Immovable property.
 - (b) Bailable warrants.
 - (c) The prosecutors.
 - (d) Discharge.
 - (e) Search.
 - (f) Probation.
 - (g) Parole.

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. Kumar, an accused was arrested for offence under Section 302 IPC on 1st January, 2002 and remanded to judicial/police custody on 2nd January 2002. Will the day of arrest and day of remand both have to be excluded for computing the period of 90 days. Decide.
9. 'A' and 'B' are tried by a court for some offence. The trial court convicted the accused 'A' and passes a sentence which is appealable, while the court convicting the accused 'B' passes a sentence which is not appealable. 'B' wants to prefer the appeal. Advise 'B'.
10. An accused commits a cognizable and non-bailable offence punishable with 10 years imprisonment and he has previously been convicted on two occasions for a cognizable offence punishable with seven years. Now he files an application for bail before the judicial magistrate court. Decide whether the judicial magistrate is empowered to release him on bail.

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20

H 1456

H3KC/H35C

**B.L. (Hons.)/LL.B. (Hons.) DEGREE (SEMESTER) EXAMINATIONS,
NOVEMBER 2017.**

(For the candidates admitted from 2011 to 2015)

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 courts shall have jurisdiction to try all suits of civil nature unless their cognizance is either expressly or impliedly barred" – Explain.
2. Explain the scope, object and applicability of Sec. 5 of the Limitation Act in the matter of condoning the delay in moving the Judicial process.
3. Explain the purposes for which a commissioner may be appointed by the court and bring out his powers.

PART B — (2 × 7 = 14 marks)

Answer TWO of the following in about 300 words each.

4. Describe the procedure to be followed in filing a suit against Government.
5. "The court cannot invoke its inherent powers when there is specific provision" – Explain.
6. Define 'Pleadings'. Explain the circumstances in which, amendment of pleadings may be allowed.

[P.T.O.]

PART C — (5 × 4 = 20 marks)

7. Write short notes on FIVE of the following :
- (a) Counter claim
 - (b) Affidavit.
 - (c) Difference between order, decree and Judgement
 - (d) Proclamation of sale
 - (e) Attachment of salary
 - (f) Reference
 - (g) Mesne profit

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' filed a suit for partition against his sons B, C and D. During pendency of the suit 'A' died. State whether A's wife is entitled to proceed with the suit?
- 9. In a suit for recovery of money filed by Siva against Vishnu for Rs. 50,000 a set-off is claimed by Vishnu that Siva is also liable to pay him some amount – Decide.
- 10. 'X', a creditor, accepts from 'Y', a debtor, a sum of Rs. 30,000 in full satisfaction of a debt of Rs. 50,000. Later 'X' sues 'Y' for the recovery of balance. Can 'X' succeed?

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21

H 1457

H3KD/H35D

**B.L. (Hons.)/ LL.B. (Hons.) DEGREE (SEMESTER) EXAMINATIONS,
NOVEMBER 2017.**

(For the candidates admitted from 2011 to 2015)

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 private international law in the context of LPG.
2. Examine the process which are involved in the exclusion of foreign law in tortious liability.
3. Describe the domicile of married women in England. Refer to decided cases.

PART B — (2 × 7 = 14 marks)

Answer TWO of the following in about 300 words each.

4. Distinguish between Domicile of origin and domicile of choice.
5. Explain the significance of Duke of Wellington's case.
6. Describe the procedure for enforcement of foreign judgement in India.

PART C — (5 × 4 = 20 marks)

7. Write short notes on FIVE of the following.
 - (a) Statelessness.
 - (b) Lex loci contractus.

[P.T.O.]

- (c) Forum convenience.
- (d) Sankara Govindan-vs-Lakshmi Bharathi.
- (e) Jurisdictional Immunity.
- (f) Intercountry adoption.
- (g) Stay of suits.

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. 'Riaz' and 'Viae' who are relatives as uncle and niece domiciled at Egypt got married in Cairo. Subsequently they acquired English domicile and a petition was filed for nullity of marriage by Viae on the ground that the marriage is void under the prohibited relationship. Decide.
 9. 'Zylua' an unmarried woman domiciled at France made a will in 1957, in favour of Rinolt an English domiciled man. Subsequently they married in 1961 and Zylua died in France in 1969. Rinolt filed a suit for probate in England. Advise.
 10. Selvi Minnale, aged about 4 years and domiciled at Germany was adopted by a senior Gynaecologist at Madras Medical College from a natural guardian in 2002. In 2004, the natural guardian died in a road accident knowing this fact Minnale's surrogate mother challenged the validity of adoption. Is it sustainable? Decide.
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H 1458

H3KE/H35E

**B.L. (Hons.)/LL.B. (Hons.) DEGREE (SEMESTER) EXAMINATIONS,
NOVEMBER 2017.**

(For the candidates admitted from 2011 to 2015)

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. 'The foundational values' of interpretation is based upon the schools of textualism and that of purposivism' – Discuss.
2. Differentiate *noscitur a sociis* and *eiusdem generis*. Explain the work of the Indian judiciary in the context of the above said subsidiary rules.
3. Examine the reports submitted by the Law Commission of India, as to the amendment of the General Clauses Act.

PART B — (2 × 7 = 14 marks)

Answer TWO of the following in about 300 words each.

4. Explain the utilities of 'proviso', 'marginal heading' and that of 'illustrations' as intrinsic aids of Interpretation.
5. Trace the work of the Department of Legislative Drafting in India, in the context of progressive development of laws.
6. Discuss the modes of interpretation as to Taxing statutes. Illustrate with decided cases.

[P.T.O.]

PART C — (5 × 4 = 20 marks)

7. Write short notes on FIVE of the following:
- (a) Principle of good faith in interpretation
 - (b) Causa omissus
 - (c) Rule of systematic interpretation
 - (d) General rules of treaty interpretation
 - (e) Doctrine of Deeming Fiction in Law
 - (f) Doctrine of constitutional identity
 - (g) Effect of repeals.

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 question before the Supreme Court, one of the parties, highlight the need of gender neutral drafting. In this regard, the presence of gender bias under Article 21 of the Constitution is discussed. Decide in the context of settled principles of drafting.
9. In a case involving dowry death, the mistress of the husband is also alleged to have been involved in the criminal act. The court is asked if proved, whether the mistress will fall under the category of 'relatives' as mentioned under the criminal laws. Decide.
10. 'X' an employee is injured by way of an accident. The term 'accident' is not defined under the relevant labour legislation. In such circumstances, what is the mode of interpretation.

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H 1459

H3KG

**B.L. (Hons.) DEGREE (SEMESTER) EXAMINATIONS,
NOVEMBER 2017.**

27

(For the candidates admitted from 2011 to 2014)

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. Explain the role played by the judiciary in the protection of Environment and sustainable development.
2. Explain the categories of Coastal Regulation Zone and discuss the activities prohibited within the Coastal regulation zone.
3. Examine the role of the prevention of Cruelty to Animals Act, 1960 in the protection of animals from being subjected to unnecessary pain or suffering.

PART B — (2 × 7 = 14 marks)

Answer TWO of the following in about 300 words each.

4. "Agenda 21 constitutes the most comprehensive and far-reaching programme of action ever approved by the world community". Discuss.
5. Discuss the restrictions on dereservation of forests or use of forest-land for non-forest purposes under the Forest (Conservation) Act, 1980.
6. Explain the importance in regulating and control of noise producing and generating sources under the Noise pollution (Regulation and Control) Rules, 2000.

[P.T.O.]

PART C — (5 × 4 = 20 marks)

7. Write short notes on FIVE of the following :
- (a) Central Zoo Authority.
 - (b) Polluter pays principle.
 - (c) Environmental Impact Assessment.
 - (d) Ex-situ and In-situ conservation.
 - (e) National Bio-Diversity Authority.
 - (f) Civil societies and environmental management.
 - (g) Eco-tourism.

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 issued an order permitting collection of tendu leaves from sanctuaries and national parks by tribals living around the boundaries for their livelihood. A Public interest litigation was filed against the order for the protection of ecology and wildlife – Decide.
9. A shrimp culture industry in and around green valley lakes, adjacent to the east coast was causing salinity of the soil and drinking water. This industry also caused detrimental effects on Flora and Fauna of that area. A Public interest litigation was filed by an environmentalist organisation against the industry and the court ordered for its closure. But the workers of the industry who have lost their employments filed a writ petition against the closure as it violates their right to livelihood. – Decide.
10. A sugar factory used to store molasses in tanks which were close to one Kumar's paddy field and was separated by a water channel. One day the tanks got collapsed and emptied into the water channel thereby damaging the raised crop of the Kumar's paddy field. Discuss the remedy available to Kumar.

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H3KH

**B.L.(HONS.) DEGREE (SEMESTER) EXAMINATIONS,
NOVEMBER 2017.**

24

(For the candidates admitted from 2011 to 2014)

Third Year - Sixth Semester

LAW OF TAXATION

Time: 2½ hours

Maximum: 70 marks

PART A – (2 x 12 = 24 marks)

Answer TWO of the following in about 500 words each.

1. Elucidate the amendments carried out in the Indian Constitution for the introduction of Goods and Services Tax.
2. Analyse the taxation of Income from Capital Gains under the Income Tax Act, 1961.
3. Explain the tax treatment of Depreciation under the Income Tax Act, 1961.

PART B – (2 x 7 = 14 marks)

Answer TWO of the following in about 300 words each.

4. Critically examine the procedure for Assessment under the Income Tax Act, 1961.
5. Elucidate the tax treatment of perquisites under Income from salaries under the Income Tax Act, 1961.
6. Explain the procedures to be followed for Registration under the Central Goods and Services Tax Act, 2017.

PART C – (5 x 4 = 20 marks)

7. Write short notes on FIVE of the following:
 - (a) Input Tax Credit under the Tamilnadu Goods and Services Tax Act, 2017.
 - (b) Progressive Tax.
 - (c) Ordinarily resident under the Income Tax Act, 1961.
 - (d) Article 276 of the Constitution of India.

(P.T.O.)

- (e) Inter-state supply of goods.
- (f) Zero-rated Supply.
- (g) Goods under the TNGST Act 2017.

PART D – (2 x 6 = 12 marks)

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

8. Advise your client in the following circumstances:
- (a) S Ltd. sold goods to a customer – the supply of goods occurred on 3rd September 2017. On 5th September 2017 the GST rates for those goods were reduced from 28% to 18%. On 8th September, S raised a tax invoice and the customer made the payment. What is the time of supply and which rate will apply?
 - (b) B Pvt. Ltd. provided a service to a customer - The tax invoice was raised on 4th October 2017. On 10th October, the tax on that service was increased from 12% to 18%. The service was rendered on 12th October and the payment was made on 18th October. What is the time of supply and which rate will apply?
9. State with reasons whether the following transactions attract income tax in India at the hands of the recipients:
- (a) Salary paid by the Central Government to Mr. John, a citizen of India – Rs.7,00,000 for services rendered outside India.
 - (b) Post office savings bank interest of Rs.12,000 received by a resident assessee, Mr. Ram.
 - (c) Legal charge of Rs.5,00,000 paid to a UK lawyer who visited India to represent a case at the Delhi High Court.
 - (d) Ganesh's share of income from HUF amounting to Rs.60,000.
10. Mr. X owns a house property which is let-out. The Municipal valuation of the house property is Rs. 1,00,000. The fair rent is 1,20,000. The standard rent is 1,25,000 and the Actual rent is Rs.80,000. He pays municipal taxes of Rs. 15,000. He borrowed loans to build this property, for which he repays interest of Rs.50,000. Calculate taxable income from house property.

Register No.

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H 1487

H3KJ

**B.L. (Hons.) DEGREE (SEMESTER) EXAMINATIONS,
NOVEMBER 2017.**

(For the candidates admitted from 2011 to 2014)

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. Briefly describe various theories pertaining to International Trade Law and identify which theory reflects the current realities of International Trade Law with reasons.
2. Explain the efficacy of the dispute settlement mechanism available under WTO.
3. "The recent amendments in the Indian Arbitration Act makes India as International hub of International commercial arbitration" — Do you agree?

PART B — (2 × 7 = 14 marks)

Answer TWO of the following in about 300 words each.

4. Explain the relevance of sustainable development in the International Trade Law regime.
5. What are the various barriers to International trade and explain how it could be sorted out?
6. The UNCTAD has made substantial contribution in developing International Trade Law — Comment.

[P.T.O.]

PART C — (5 × 4 = 20 marks)

7. Write short notes on FIVE of the following :
- (a) Tax exchange information treaties.
 - (b) Carbon trading.
 - (c) Doctrine of original package.
 - (d) Brettonwood Conference.
 - (e) Common heritage of mankind.
 - (f) Anti-dumping.
 - (g) Non-tariff barriers.

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. Gove is a leading pharmaceutical MNC belonging to ASA and it successfully invents a vaccination for H11 virus. The same has been patented in ASA and Hindia. The Government of Hindia requested to slash the price of H11 virus vaccination to cure the epidemics prevailing in Hindia. However the pharma company refuses to do so. The Controller general of Patent issues compulsory licence to a Hindian company known as 'Lakshmi Pharmaceuticals Ltd.' This has been challenged in IPAB in Hindia — Decide.
9. Mr. Appan is a farmer in Madurai. He successfully develops a potato variety which is having crop resistance as well as consumes very lesser water for its growth. It is highly nutritious and sweet in nature. Appan receives a Gene saviour award from the Protection of plant varieties authority of India. Dr. Andrews who is an agricultural scientist belonging to U.S., enters into a collaboration agreement with Mr. Appan and gets the germ plasm from Mr. Appan and takes the same to the U.S. and develops further in the U.S. laboratory and patents the same in the U.S. The National Biodiversity Authority takes action against Mr. Appan as well as Mr. Andrews for violating the Bio-Diversity Act. Dr. Andrews and Mr. Appan challenge the action taken by NBA in the Supreme Court of India — Decide.

10. Sheela is a visually challenged girl residing in Sindhustan. She wants to read a novel authored by 'Harry Potter'. However it is not available in accessible format in Sindhustan. She requests one of the friends residing at BSA known as Shelly who is working as a Professor in Law in a leading University in BSA. She sends the soft copy of the novel in the accessible format to Ms. Sheela. Sheela further distributes the same to her visually challenged friends without charging any single paise. The copyright for the aforementioned novel is owned by 'Magus Publishers Ltd'. Magus Publishers Ltd. sues Ms. Sheela for violating the Copyright Act and three step test contained in the TRIPS agreement of WTO in the High Court of Felhi — Decide.
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H 1461

H3KK

**B.L. (Hons.) DEGREE (SEMESTER) EXAMINATIONS,
NOVEMBER 2017.**

(For the candidates admitted from 2011 to 2014)

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. "An anti competitive agreement is an agreement having appreciable adverse effect on competition" — Discuss.
2. "The Competition Act does not prohibit dominance but it prohibits abuse of dominance" — Discuss with the help of decided cases.
3. Explain the role of the Competition Commission in dealing with Combinations.

PART B — (2 × 7 = 14 marks)

Answer TWO of the following in about 300 words each.

4. Discuss the position of tie-in agreements under the Competition Act.
5. Define Cartels and state how far it is prohibited under the Competition Act with decided cases?
6. "The failure of the MRTP Act brought into force the Competition Act in India" — Discuss.

PART C — (5 × 4 = 20 marks)

7. Write short notes on FIVE of the following :
 - (a) Acquisition.
 - (b) Resale Price Maintenance.
 - (c) Cement Cartelization Case.

[P.T.O.]

- (d) Rule of reason.
- (e) Predatory pricing.
- (f) Relevant Market.
- (g) Competition Commission 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. A complaint was filed against GAL Co., by Rex Auto and Imax Auto both engaged in the business of Auto parts manufacturing. Both the companies have a contract to buy re-gasified liquified natural gas from GAL Co. Both parties have alleged that conditions such as the buyer is obliged to pay for the quantities of gas not taken but agreed to be taken. The allegation is abuse of dominant position by GAL. Decide.
9. OP Inc. is a company engaged in the business of development and supply of hardware such as personal computers and printers along with after sales services. Mr. X purchased a laptop from a recognized dealer of OP Inc. From the day of purchase the laptop had operational problems for which X had approached service centres several times. Mr. X filed a complaint before the CCI alleging that OP Inc. in connivance with its dealers is indulging in anti competitive practices by selling substandard products causing damage to consumer interests. Decide.
10. Dr. K. R. Ram booked a residential apartment from a construction company named M/s. Supertech Ltd. He deposited a total sum of Rs. 6,44,225 as per the demands raised by the company from time to time. The construction of project was stopped owing to some land disputes. However the company raised demands for the remaining payment arbitrarily along with charging 18% interest per annum on delayed payment from the flat buyers including Dr. K.R. Ram. This was done in order to draw more money from the buyers. Dr. K.R. Ram filed a petition before the CCI that this was abuse of dominance by the company. Decide.

Register No.

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H 1481

H3KM

**B.L. (Hons.) DEGREE (SEMESTER) EXAMINATIONS,
NOVEMBER 2017.**

(For the candidates admitted from 2011 to 2014)

Third Year — Sixth Semester

CYBER LAW AND FORENSICS

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 various changes made to the regulatory framework for banks in India after the advent of E-Banking.
2. Discuss the various types of cyber crimes and state the various legal provisions for punishing the cyber criminals.
3. State the various ways in which domain name disputes are resolved.

PART B — (2 × 7 = 14 marks)

Answer TWO of the following in about 300 words each.

4. What are the various human rights issues in cyberspace?
5. Explain the mode of protection afforded to software through copyright.
6. Discuss the various privacy issues in cyberspace.

PART C — (5 × 4 = 20 marks)

7. Write short notes on FIVE of the following :
 - (a) Online advertising
 - (b) UDRP
 - (c) Permanent establishment
 - (d) Phising policy in web portals
 - (e) Public Key Infrastructure
 - (f) Cloud Computing
 - (g) Online payment.

[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 advertises their product through Internet websites. In the advertisement X compares the products of their competitors. Decide whether X has committed any infringement.
 9. A submits an exam application form in a state university through e-mail with scanned photograph, digital signature and online payments. The University refuses to accept electronic mode of application form. A states that electronic governance provisions of the IT Act permits A to submit any document electronically. Decide.
 10. Raj owns a chocolate company in India. Later on Raj finds many trademark infringements of his product in a website accessible in India but registered abroad. Decide.
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