

B. L. (Hons.)
LL. B. (Hons.)
APRIL - 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.

| | | | | | |
|--|--|--|--|--|--|
| | | | | | |
|--|--|--|--|--|--|

H31A/H31A/CH31A

H 1342

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

(For the candidates admitted from 2011 to 2016)

First Year — First Semester

JURISPRUDENCE

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 philosophy of laws of nature and that of Natural Law though involve human life, the seminal difference is that of, one regulates life and another that of conduct" – Examine.
2. Define and explain the sources of law.
3. Define Fact. Examine the significance of the legal philosophy on Questions of Fact and Questions of Law.

PART B — (2 × 7 = 14 marks)

Answer TWO of the following in about 300 words each.

4. Trace the importance of the historical school of jurisprudence.
5. Discuss the interrelationship between the notions of right and that of duty.
6. Define Negligence. Explain the theories of Negligence.

PART C — (5 × 4 = 20 marks)

7. Write short notes on FIVE of the following :
 - (a) Titles
 - (b) Distinguish between substantive and procedural laws
 - (c) Contingent ownership

[P.T.O.]

- (d) Sociological school of jurisprudence
- (e) Unborn persons
- (f) Legal fiction
- (g) Evidence.

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. Corporation 'X', decides to convert the seashore based burial and cremation grounds to environmental parks. X cites the requirements to protect ecosystem and passes resolution to such effect. The local residents complain against the move, however officials of 'X' refuse to entertain their complaints. The issue reaches the court. Discuss the merits.
9. 'M', a public spirited citizen, approaches the Supreme Court, for the purpose of questioning the humanness in the mode of executing the death convicts. 'M' argues that the method of "Hang by neck until death" involves painful exercise. Therefore, the relevant provision has to be declared unconstitutional. Decide the validity of the argument.
10. In a case involving the Indian Contract Act, the court is asked to ascertain the relevancy of English principles and its application in India. The parties submit that, colonial legislations have to be interpreted in accordance with the common law practice. Discuss the state of law in this regard.

3
Register No.

| | | | | | |
|--|--|--|--|--|--|
| | | | | | |
|--|--|--|--|--|--|

H 1343

H31B/H31B/CH31B

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

(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 necessary elements for a valid offer and acceptance.
2. Indian Contract Act supports privity of contract and not privity of consideration. Discuss.
3. Analyse the various factors that vitiate free consent in an agreement.

PART B — (2 × 7 = 14 marks)

Answer TWO of the following in about 300 words each.

4. Explain the meaning and significance of Promissory estoppel.
5. Discuss the doctrine of Frustration and also state its limitation.
6. Explain the validity of agreements in restraint of legal proceedings.

PART C — (5 × 4 = 20 marks)

7. Write short notes on FIVE of the following :

- (a) Void and voidable agreements.
- (b) Accord and satisfaction.
- (c) Adequacy of consideration.
- (d) Coercion and Undue influence.
- (e) Joint promise.
- (f) Injunctions.
- (g) Quasi contract.

[P.T.O.]

PART D — (2 × 6 = 12 marks)

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

8. 'A' misrepresents his age and enters into an agreement with 'B'. 'A' later on fails to perform his promise and places the fact that he is a minor. 'B' sues 'A' for breach of contract. Decide.
 9. 'X' makes an offer to 'Y' through post. The next day 'X' revokes the offer through an email communication. 'Y' later sends the acceptance without notice of the email communication. 'X' returns the acceptance letter to 'Y', but 'Y' sues 'X'. Decide.
 10. 'A' applies for a job in a company. The application form clearly states that, candidates punished for criminal cases have to mention before applying. 'A' intentionally leaves the space blank and later on 'A' receives an appointment order. When the company gets to know about 'A's' criminal history, the company sues 'A' for fraud. Decide.
-

Register No.

| | | | | | | |
|--|--|--|--|--|--|--|
| | | | | | | |
|--|--|--|--|--|--|--|

H 1344

H31C/H31C
CH31C

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

(For the candidates admitted from 2011 to 2016)

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. There are many acts which, though cause injury; are not wrongful and give no right of action – Justify with principles and illustrations.
2. “An occupier does not owe any duty of care to a trespasser” – Explain the rule and the exceptions if any.
3. “All persons are entitled to sue and be sued in tort” – Examine the statement and state its exceptions.

PART B — (2 × 7 = 14 marks)

Answer TWO of the following in about 300 words each.

4. Examine the liability of Joint tortfeasors. State and discuss the rule in Merry Weather vs Nixon.
5. “Remedies in tort are of two kinds, Judicial and Extra Judicial” – Elucidate.
6. Explain, to what extent the rule in Rylands vs Fletcher is applicable to escape of dangerous animals and dangerous things.

PART C — (5 × 4 = 20 marks)

7. Write short notes on FIVE of the following :

- (a) Pigeon hole theory
- (b) Nervous shock
- (c) Course of employment

[P.T.O.]

- (d) Conversion
- (e) Public and Private nuisance
- (f) Malicious legal process
- (g) Contributory Negligence

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' had planted few trees in his own land. The roots of the trees projected and the branches of the trees overhanged into the neighbouring property of 'B'. Is 'B' entitled to any remedy?
9. Sekar was the owner of a cinema theatre adjoining a public road. He had put up hoardings for advertisement at the roof of the theatre that projects on to the road. It fell upon Govind and injured him while he was passing along the public road. Advise.
10. Ramanan's bull, getting wild at the sight of a red handkerchief, attacked and injured Srinivasan. Discuss the liability of Ramanan.

Register No.

| | | | | | | |
|--|--|--|--|--|--|--|
| | | | | | | |
|--|--|--|--|--|--|--|

H 1345

H3ID/H31D/CH31D

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

(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 recent amendments on sexual offences under the Indian Penal Code.
2. "In all robbery there is either theft or extortion" – Examine.
3. Narrate the offences relating to Marriage under the Indian Penal Code.

PART B — (2 × 7 = 14 marks)

Answer TWO of the following in about 300 words each.

4. Distinguish between joint liability and constructive liability.
5. What is unlawful assembly? State the aggravated form of such offence.
6. Explain the provisions relating to exercise of the right of Private defence.

PART C — (5 × 4 = 20 marks)

7. Write short notes on FIVE of the following :
 - (a) Accident
 - (b) Mens rea
 - (c) Doctrine of Necessity
 - (d) Abetment to commit suicide
 - (e) Criminal Misappropriation
 - (f) Cheating by Personation
 - (g) Defamation.

[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' puts a bait for a dog in his pocket and he induces Z's dog to follow it. Whether 'A' has committed any offence – Decide.
 9. 'A' by exhibiting to 'Z' a false sample of an article, had intentionally deceived 'Z' into believing that such article corresponds with sample, thereby he induces 'Z' to buy and pay for that article. What offence 'A' has committed? Decide.
 10. 'A' instigates 'B' to murder 'C'. B refuses to do so. Decide the liability of 'A' and 'B'.
-

Register No.

| | | | | | |
|--|--|--|--|--|--|
| | | | | | |
|--|--|--|--|--|--|

H 1346

9

H31E/H31E/CH31E

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

(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 various sources of Hindu Law.
2. Define Talaq and the different modes by which it is effected. When does it become irrevocable?
3. Explain the conditions for a valid adoption under The Hindu Adoptions and Maintenance Act, 1956.

PART B — (2 × 7 = 14 marks)

Answer TWO of the following in about 300 words each.

4. State the grounds under which a Hindu wife is entitled to live separately from her husband without forfeiting her claim to maintenance.
5. Define dower and explain its kinds.
6. What are the conditions to be satisfied for registration of marriage under the Special Marriage Act, 1954?

PART C — (5 × 4 = 20 marks)

7. Write short notes on FIVE of the following :

- (a) Doctrine of factum valet.
- (b) Sareetha vs Venkata Subbaiah AIR 1983 AP 356.
- (c) Ante adoption agreement.

[P.T.O.]

- (d) De jure guardian.
- (e) Acknowledgement of Paternity.
- (f) Minister of religion.
- (g) In camera proceedings.

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 who is having a grandson (son's son), adopts a boy of 17 years old after the death of his son. Is it a valid adoption - Decide.
- 9. The immovable property of a minor is sold by the father, without the permission of the court, for the benefit of the minor. Discuss the validity of sale.
- 10. A minor Muslim boy is contracted in marriage by his guardian. On attaining puberty, he wishes to repudiate the marriage. Is the boy entitled to the option of puberty. Decide.

Register No.

| | | | | | |
|--|--|--|--|--|--|
| | | | | | |
|--|--|--|--|--|--|

11

H 1347

H31F/H31F/CH31F

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

(For the candidates admitted from 2011 to 2016)

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 aim to impart the requisite skills to learn law and develop multidimensional perspectives”– Discuss.
2. Define Justice. Examine the relevance of understanding and applying the decisional law.
3. Define Synopsis. Explain the components of Synopsis.

PART B — (2 × 7 = 14 marks)

Answer TWO of the following in about 300 words each.

4. Define interpretation. Explain the significance of interpretation in the context of man-made laws.
5. Explain the merits and demerits of doctrinal research in law.
6. Discuss the contribution of the Law Commission of India in the backdrop of legal reforms.

PART C — (5 × 4 = 20 marks)

7. Write short notes on FIVE of the following :
 - (a) Utility of legal maxims.
 - (b) Principle of Natural Justice.
 - (c) Freedom of movement and law.
 - (d) Definition of Human Rights.

[P.T.O.]

- (e) Evidence.
- (f) Legisprudence.
- (g) Law Library.

PART D — (6 × 2 = 12 marks)

8. Answer SIX of the following very briefly.

- (a) Interview Method.
 - (b) Foot notes.
 - (c) Comparative Law.
 - (d) Principles of Data collection.
 - (e) Legal fiction.
 - (f) Questionnaire.
 - (g) Statute Law
 - (h) Custom.
-

Register No.

| | | | | | |
|--|--|--|--|--|--|
| | | | | | |
|--|--|--|--|--|--|

H 1348

13

H3IG/H32A/CH32A

**B.L. (Hons.)/LL.B. (Hons.) DEGREE (SEMESTER) EXAMINATIONS,
APRIL 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 scope of a surety's liability towards the creditor, primary debtor and co-sureties and when a surety's liability comes to an end.
2. Explicate the different modes by which an agent-principal relationship is created and terminated.
3. Expound the characteristics of a Partnership and the rights and duties of partners.

PART B — (2 × 7 = 14 marks)

Answer TWO of the following in about 300 words each.

4. Define the concept of lien. Discuss the rights of a lien-holder and how it is lost.
5. When does the property in goods pass to the vendee in case of ascertained, unascertained and future goods?
6. 'Delegatus non potest delegare' – Explain this maxim, with exceptions, if any.

PART C — (5 × 4 = 20 marks)

7. Write short notes on FIVE of the following :

- (a) Kinds of guarantee
- (b) Duties of a bailee

[P.T.O.]

- (c) Difference between sale and contract of work and labour.
- (d) Authority of agent in emergency
- (e) Nexus between Partnership and joint Hindu family doing business.
- (f) Auction sale
- (g) Sub-agent and substituted 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. 'A' takes a loan from 'B' for which C stands as a surety. 'A' repays thirty percent of the principal amount and dies due to an accident. 'B' sues the surety 'C' for recovering the balance amount due. Meanwhile 'C' is adjudged to be an insolvent. 'A' impleads 'C's son 'D' in the suit – Decide.
9. 'E' enters into a contract with 'F' for leasing out an apartment stating it to be his, but it is owned by an undisclosed principal 'G'. 'F' later defaults in payment of the lease amount and 'G' as owner of the immovable property sues 'F' for the default – Decide.
10. 'H' bails his cat to 'I' for safe custody for a period of six months during his visit abroad. The cat yields a litter of 4 kittens in the fifth month. On return 'H' claims both his cat and its litter of 4 kittens. 'I' returns the cat but refuses to part with the kittens. 'H' sues 'I' for claiming possession of the kittens – Decide.

Register No.

| | | | | | | |
|--|--|--|--|--|--|--|
| | | | | | | |
|--|--|--|--|--|--|--|

H 1349

15

H3IH/H32B/
CH32B

**B.L. (Hons.)/LL.B. (Hons.) DEGREE (SEMESTER) EXAMINATIONS,
APRIL 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. Define Constitutionalism and explain the salient features of the Indian Constitution.
2. Critically analyse the expanded view of Art 21. of the Indian Constitution.
3. "Religious freedom is subject to laws made for social welfare and reform" — Discuss the statement with relevant case laws.

PART B — (2 × 7 = 14 marks)

Answer TWO of the following in about 300 words each.

4. Examine the Constitutional guarantee against double jeopardy.
5. Discuss the Doctrine of Eclipse with the help of decided case laws.
6. What are the Constitutional safeguards provided to linguistic and religious minorities under the Indian Constitution?

PART C — (5 × 4 = 20 marks)

7. Write short notes on FIVE of the following :
 - (a) Preamble of the Indian Constitution
 - (b) Latimer House Principles
 - (c) Preventive Detention
 - (d) Hazardous work

[P.T.O.]

- (e) D.K. Basu Guidelines
- (f) Equal pay for equal work
- (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 girl of different caste was marrying a boy belonging to Scheduled Tribe. After marriage she sought admission to M.Sc. Course in Agricultural University under reservation quota for Scheduled Tribes. The admission was denied on the basis of reservation quota for Scheduled Tribes – Decide whether the girl is entitled to claim the benefit of reservation.
9. Miss 'N' challenged the validity of the regulations of Indian Airlines on the retirement and pregnancy bar on the services of air hostess. The regulations for retirement are (a) an air hostess would retire from service on the attainment of the age of 35 years; (b) on the marriage, if took place within four years of her service; (c) on her first pregnancy whichever is earlier and also there is another regulation wherein the Managing Director had the discretion to extend the age of retirement by one year at a time beyond the age of retirement upto 45 years of age, if she is medically fit. Discuss the constitutional validity of the Indian Airlines Regulations.
10. 'A', a married Hindu male, during the subsistence of the first marriage, converted to Islam and married another woman, Fathima. Decide the validity of the second marriage.

Register No.

| | | | | | |
|--|--|--|--|--|--|
| | | | | | |
|--|--|--|--|--|--|

H 1350

17

H3II/H32C/CH32C

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

(For the candidates admitted from 2011 to 2016)

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. Explain the rules relating to the transfer of property for the benefit of an unborn person.
2. Explain the different kinds of covenants attached with land, based on decided cases.
3. "The right of redemption is a statutory right which cannot be fettered by any condition which impedes or prevents redemption" - Discuss.

PART B — (2 × 7 = 14 marks)

Answer TWO of the following in about 300 words each.

4. What are the kinds of property that cannot be transferred?
5. Define gift and explain how gift of immovable property is effected?
6. Describe the requisites to acquire Easement by Prescription.

PART C — (5 × 4 = 20 marks)

7. Write short notes FIVE of the following :

- (a) Immovable property.
- (b) Repugnant Condition.
- (c) Cooper vs Cooper.
- (d) Vested Interest.
- (e) Fraudulent transfer.
- (f) Rights of the vendee.
- (g) Determination of lease.

[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' purchased a property in the name of 'B' and 'B' sold the property to 'C'. 'A' wants to sue 'C' to recover the property. Discuss the legal consequences.
 9. 'X' executes a usufructuary mortgage in favour of 'Y' in respect of a residential house. The rental value accruing out of the property falls after some years. What is the remedy available to 'Y'.
 10. Ravi lets his house to Mohan for a period of 3 years. Mohan wants to sublet a portion of the house. Can he do so? Discuss.
-

Register No.

| | | | | | |
|--|--|--|--|--|--|
| | | | | | |
|--|--|--|--|--|--|

H 1351

H3IJ/H32D/CH32D

**B.L. (Hons.)/LL.B. (Hons.) DEGREE (SEMESTER) EXAMINATIONS,
APRIL 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. Define a Hindu joint family and examine the powers of the Karta to contract debt and to alienate the joint family property.
2. Examine the rules of intestate succession to a Hindu male dying intestate, under the Hindu Succession Act, 1956.
3. Explain the modes of execution of privileged and unprivileged will.

PART B — (2 × 7 = 14 marks)

Answer TWO of the following in about 300 words each.

4. Define Hiba and explain how it can be revoked.
5. Explain the rules of succession applicable to a Christian woman dying intestate.
6. What are the classes of heirs under Hanafi Law of inheritance? State the rules of priority among them.

PART C — (5 × 4 = 20 marks)

7. Write short notes on FIVE of the following :

- (a) Coparcenary.
- (b) Partition by metes and bounds.
- (c) Woman's Estate.

[P.T.O.]

- (d) Powers of an Executor.
- (e) Ademption of legacy.
- (f) Wakf.
- (g) Arm Chair Rule.

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 woman inherited property from her father. She died leaving her husband, mother and mother-in-law. Distribute her estate.
 - 9. A Christian died leaving behind his wife, father, mother and brother. Divide his estate.
 - 10. A Shia Muslim died leaving her husband, daughter, father and mother. Distribute her estate.
-

Register No.

| | | | | | |
|--|--|--|--|--|--|
| | | | | | |
|--|--|--|--|--|--|

H 1352

21

H3IK/H32E

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

(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 provisions concerning human rights throughout the UN charter runs like a golden thread" – Elucidate.
2. The framers of the Indian Constitution were influenced by the concept of human rights and guaranteed most of the human rights contained in the Universal Declaration of Human Rights. Elucidate.
3. Trace the origin and development of human rights.

PART B — (2 × 7 = 14 marks)

Answer TWO of the following in about 300 words each.

4. Discuss the human rights enshrined in the African Charter.
5. Write a note on rights and freedoms under European Convention on Human Rights.
6. What are the powers and functions of National Human Rights Commission?

PART C — (5 × 4 = 20 marks)

7. Write short notes on FIVE of the following :
 - (a) CEDAW
 - (b) Non-refoulement
 - (c) Sec. 2(1)(d) of the Protection of Human Rights Act, 1993.
 - (d) Rights of minorities
 - (e) Contiguous zone
 - (f) Pacta sunt servanda
 - (g) Convention on stateless persons.

[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 person was being detained in the prison for 14 years even after he was acquitted by the sessions court, on the ground that he has become insane. A petition has been filed for his release and award of compensation for illegal detention. Decide.
9. In a Government Industrial Establishment one of the rules provided that women employees will have to compulsorily retire if they become pregnant. The women employees organisation has questioned the rule in a court of law. Discuss.
10. A member of Orange peace organisation was making preparations to go abroad. The Government suspecting that after going abroad, the member may make unnecessary allegations against the Government, has impounded his passport. Is it justifiable?

Register No.

| | | | | | |
|--|--|--|--|--|--|
| | | | | | |
|--|--|--|--|--|--|

H 1354

23

H32F

LL.B. (Hons.) DEGREE (SEMESTER) EXAMINATIONS, APRIL 2017.

(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. "Theories of regulation help to understand how and why regulation emerges". Explain giving importance to the Public Interest Theory of regulation.
2. Explain the procedures relating to the intermediaries and with the help of SEBI regulation explain the procedure for obtaining SEBI registered stockbroker and sub broker.
3. What are the salient features of the Electricity Act, 2003.

PART B — (2 × 7 = 14 marks)

Answer TWO of the following in about 300 words each.

4. Explain the functions of TRAI.
5. Bring out the essentials of National Electricity Plan.
6. Discuss the powers of PFDRRA.

PART C — (5 × 4 = 20 marks)

7. Write short notes on FIVE of the following :
 - (a) Good regulation
 - (b) Institutional theory
 - (c) Investor protection
 - (d) Intermediary

[P.T.O.]

- (e) Insider Trading
- (f) TDSAT
- (g) Pension Fund

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. Raj & Co., a Business Process Outsourcing company, files a complaint before the National Commission for consumer disputes redressal, for alleging deficiency in service and claims compensation of Rs. 1,07,50,000/- from XYZ, a telecom service provider, for not providing proper service according to service contract specifications. The XYZ Co. contends that the TRAI is a proper forum to decide and not a Consumer Commission – Decide.
9. Mr. Srinivasan, a NRI, who is also a member of New York Stock Exchange applies to SEBI for stockbroker licence. SEBI without giving opportunity of being heard, cancels his application. After the deprivation of SEBI order, he approaches you for getting SEBI stockbroker registration. Advise him about the procedure to succeed.
10. The Sun Alliance Co. Ltd. is in a proposal to merge its company with a leading steel manufacturing company. Mr. Rej, who is a son of company secretary in a Sun Alliance Company, sells his 10,000 shares worth of Rs. 1,20,00,000 to an intermediary. SEBI by suo moto cognizance cancels the sale and imposed Rs. 12,00,000 compensation on Mr. Rej. Mr. Rej appeals before the Securities Appellate Tribunal – Decide.

Register No.

| | | | | | | |
|--|--|--|--|--|--|--|
| | | | | | | |
|--|--|--|--|--|--|--|

H 1355

25

H3JA/H33A

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

(For the candidates admitted from 2011 to 2015)

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. "Constitution of India provides for both the Centre and State that the Council of Ministers shall be collectively responsible to the lower House"— Elucidate.
2. "Power to grant leave to appeal is the discretion of the judges of the Supreme Court" – Refer to decided cases.
3. "No tax shall be levied or collected except by authority of law" – Explain.

PART B — (2 × 7 = 14 marks)

Answer TWO of the following in about 300 words each.

4. Describe the constitutional provisions relating to parliamentary privileges of the members of the Parliament.
5. Examine the provisions relating to administrative relation between Centre and State.
6. Describe the provisions on appointment and transfer of judges of High Court.

PART C — (5 × 4 = 20 marks)

7. Write short notes on FIVE of the following :
 - (a) Vote on account
 - (b) Territorial nexus
 - (c) Double veto

[P.T.O.]

- (d) Tenth Schedule of the Constitution
- (e) Administrative tribunal
- (f) Chawla – vs State of Rajasthan
- (g) M. Karunanidhi–vs–Union of India.

PART D — (2 × 6 = 12 marks)

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

8. By passing a constitutional amendment, the power to decide an election dispute of Prime Minister of India was excluded from judicial review and it was conferred on the Parliament of India.
'People Federation', a NGO, filed a petition challenging the constitutional validity of the Amendment. Decide.
9. The Madras High Court had issued a writ against the Election Commission, a body permanently located in New Delhi. The Election Commission opposed it on the ground that the Commission was not within the jurisdiction of the Madras High Court. Decide.
10. Rajasthan legislature amended the Motor Vehicles Taxation Act 1951 to levy a tax on all motor vehicles used or kept within the State of Rajasthan. Tour operators of the State of Rajasthan challenged the constitutional validity under Articles 301 and 304 (b). Can they succeed? Decide.

Register No.

| | | | | | | |
|--|--|--|--|--|--|--|
| | | | | | | |
|--|--|--|--|--|--|--|

H 1356

27

H3JB/H33B/CH32E

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

(For the candidates admitted from 2011 to 2016)

Second Year — Third Semester/First Year – Second 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. Discuss the procedure and the duties of Registrar in the matter of registration of trade union under the Trade Unions Act 1926.
2. Examine the conditions and procedure for valid retrenchment under the Industrial Disputes Act 1947.
3. State 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. Discuss the salient features of the Payment of Wages Act, 1936.
5. Examine the significance and essentials of effective Collective Bargaining.
6. Explain the conditions and procedure for modification of certified standing orders under the Industrial Employment (Standing Orders) Act, 1946.

[P.T.O.]

PART C — (5 × 4 = 20 marks)

7. Write short notes on FIVE of the following.
- (a) Recognition of trade union.
 - (b) Labour court.
 - (c) Wages under the Payment of Wages Act
 - (d) Wage fund theory
 - (e) Concept of living wage
 - (f) Appropriate government
 - (g) Doctrine of Laissez Faire.

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 registration of a trade union was cancelled for contravention of the provisions of Section 28 of the Trade Unions Act, 1926 by failing to send annual return. Subsequently the union filed return and requested the registrar to withdraw the cancellation of registration. The Registrar withdrew the cancellation of registration. The management challenged the order of the registrar withdrawing cancellation order – Decide.
9. Mr. Kumar was in the employment of ABC Mills and retired on completing the age of 60 years. He was offered fresh employment by the same employer for a period of 12 months under a contract. On the expiry of 12 months, his services were terminated by the employer. Kumar raised a dispute that the termination of his service amounts to retrenchment – Decide.
10. Mr. Ravi, a godown keeper of a company, worked for half an hour on 19th October and four and half hours on 20th October and marked his attendance. The company deducted two days wages treating him as absent from duty on both the days. Ravi made an application under Section 15 (2) and 15 (3) of the Payment of Wages Act on the ground that deduction of 2 days wages was unjustified – Decide.

Register No.

| | | | | | |
|--|--|--|--|--|--|
| | | | | | |
|--|--|--|--|--|--|

H 1357

29

H3JC/H33C

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

(For the candidates admitted from 2011 to 2015)

Second Year — Third Semester

PUBLIC INTERNATIONAL 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. Critically examine how far International Law is interpreted and applied in India. Refer to decided cases.
2. Describe the theories of recognition and the legal effects of de-jure and de-facto recognition.
3. "Every international wrongful act of a State entails international responsibility of that State" — Examine.

PART B — (2 × 7 = 14 marks)

Answer TWO of the following in about 300 words each.

4. Examine the various modes of acquiring State territory in International Law.
5. Describe the general principles of interpretation of a treaty.
6. Analyse the kinds of jurisdiction of the International Court of Justice.

PART C — (5 × 4 = 20 marks)

7. Write short notes on FIVE of the following :

- (a) Monism.
- (b) Calvo Doctrine.
- (c) Double Nationality.

[P.T.O.]

- (d) Continental Shelf.
- (e) Extradition.
- (f) Economic and Social Council.
- (g) Trial Smelter 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. 'Queen' a merchant vessel, which belongs to 'Thillai Nadu' State collided in the mid ocean with, another ship 'Diamond' which belongs to 'Nilavan Nadu' State, as Queen was not carrying the lights required by the law. 'Nilavan Nadu' State filed a petition claiming damages against 'Thillai Nadu' State Is it sustainable? Decide.
 9. Ms. Nian Rizvi, an Argentinian national and daughter of a politician, accused of a computer scam escapes to Pakistan. Argentina wants to extradite Ms. Nian Rizvi. Decide.
 10. Mr. Nanivan, an ambassador of State 'Q' in State 'V' voluntarily offers assistance of his State's Military Intelligence Agency in investigating a bomb blast in State 'V'. Will this amount to breach of diplomatic privilege? Decide.
-

Register No.

| | | | | | |
|--|--|--|--|--|--|
| | | | | | |
|--|--|--|--|--|--|

H 1358

31

H3JD/H33D

**B.L. (Hons.)/LL.B. (Hons.) DEGREE (SEMESTER) EXAMINATIONS,
APRIL 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. Analyse the changing 'Banker and Customer' relationship under modern banking system in India to meet the global challenges.
2. Explicate the need of RBI as apex bank to regulate the functioning of commercial banks in India.
3. Define 'cheque' and discuss the concept of crossing of cheques and its legal significance with regard to prevention of frauds under Negotiable instruments Act.

PART B — (2 × 7 = 14 marks)

Answer TWO of the following in about 300 words each.

4. "The main object of the nationalization was to serve better and fulfill the policies of economic development in consonance with the national priorities". Discuss.
5. Analyse the main causes for bank frauds and suggest measures to prevent them.
6. Discuss with reference to the Banking Regulation Act, the procedure for winding up of a Banking Company.

PART C — (5 × 4 = 20 marks)

7. Write short notes on FIVE of the following :
 - (a) Holder and Holder in due course.
 - (b) Statutory protection to collecting banker.

[P.T.O.]

- (c) R.C. Cooper vs UOI.
- (d) IDBI.
- (e) Safe Deposit Locker and Banker's liability.
- (f) Promissory Note and Bill of Exchange.
- (g) Cash credit and overdraft system.

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' opened a Savings Account with 'B' bank and 'A' being 65 years old entrusted the money to her neighbour 'C', who was an employee of the defendant bank, to be credited in her account. 'C' misappropriated those amounts but posted false entries in A's pass book. 'A' issued a cheque to 'D' which was returned on the basis of insufficiency of funds and thus 'A' got the notice of the said misappropriation. Advise 'A' and 'D'.
 9. 'A' drew a cheque in favour of 'B'. A's clerk forged B's endorsement and negotiated it to C, who took it in good faith and for value. 'C' received payment of the cheque. Can 'A' recover the amount from 'C'?
 10. 'A' hired a bank locker and deposited jewellery worth Rs. 50 lakhs and the same was stolen from the bank. What is the remedy for A, whether the bank is liable for the same?
-

Register No.

| | | | | | |
|--|--|--|--|--|--|
| | | | | | |
|--|--|--|--|--|--|

H 1359

33

H3JE/H33E

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

(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. Describe the significance of technology transfer under Article 7 of the TRIPS Agreement.
2. Enumerate the salient features of the Protection of Plant Varieties and Farmer's Rights Act, 2001.
3. Explain the concept of 'Anticipation' in accordance with the relevant legal provisions and judicial interpretations.

PART B — (2 × 7 = 14 marks)

Answer TWO of the following in about 300 words each.

4. Explain the importance of "Non-disclosure agreement" in terms of trade secret protection.
5. Describe the guiding principles of Berne Convention 1886.
6. "Patent on Micro-organisms is a settled matter of law" – Discuss this statement by referring to legal provisions and decided case laws.

PART C — (5 × 4 = 20 marks)

7. Write short notes on FIVE of the following :

- (a) Spring Board doctrine
- (b) Intellectual Property Appellate Board
- (c) Doha Declaration, 2001.
- (d) Honest concurrent use

[P.T.O.]

- (e) Complete disclosure
- (f) Copyright Board
- (g) Traditional knowledge

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. Khatra Pvt. Ltd. invented a new kind of “machine wood-cutter” and obtained patent. Some months later, one of its former employees Mr. Balu produced similar kind of invention and he used steel blade instead of “ring-saw” and started selling in the market also. On knowing the same, Khatra Pvt. Ltd. sued Mr. Balu for the infringement of Patent – Decide.
9. Mr. Shankar required all his employees to sign in the non-disclosure agreement and asked them to return all secret manuals and other CD drives in case of termination of service. But one Anand, former employee of Mr. Shankar, did not return the said manuals and CD drives and sold all these materials to his new employer. So Mr. Shankar filed a case against Anand for disclosing his trade secrets – Decide.
10. Mr. Subramaniya, a famous Carnatic music teacher composed 100, traditional Tamil Purananuru poems in a new form and produced number of copies. After some years, an International Music Company, known as Copa Simphony copied all these 100 songs and has been selling these works through online process. Thus, Mr. Subramaniya wants to file a case against his copyright infringement. Advise him.

Register No.

| | | | | | | |
|--|--|--|--|--|--|--|
| | | | | | | |
|--|--|--|--|--|--|--|

H 1360

35

H3JG/H34A

**B.L. (Hons.)/LL.B. (Hons.) DEGREE (SEMESTER) EXAMINATIONS,
APRIL 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. "Directors occupy an important position in a company as they have to play a key role in the management of the company's business" – Discuss.
2. "Persons who issue a prospectus with fraudulent statements are liable to pay damages to anyone who purchased shares relying on the information given in the Prospectus" – Discuss.
3. "The wheels of commerce would not go round smoothly if persons dealing with companies were compelled to investigate thoroughly the internal machinery of a company to see if something is not wrong" – Discuss.

PART B — (2 × 7 = 14 marks)

Answer TWO of the following in about 300 words each.

4. Define debenture and explain the characteristics of a debenture.
5. Explain the provisions relating to voluntary winding up of a company.
6. Discuss the powers and duties of an auditor.

PART C — (5 × 4 = 20 marks)

7. Write short notes on FIVE of the following :
 - (a) Transfer and transmission of shares
 - (b) Government companies
 - (c) Dividends

[P.T.O.]

- (d) NCLT
- (e) Issue of shares at discount
- (f) Independent director
- (g) Corporate social responsibility.

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 promoters of a company, before its incorporation, enter into an agreement with 'P' to buy a plot of land on behalf of the company. After incorporation the company refuses to buy the said plot of land. Has 'P' got any remedy either against the promoters or the company?
9. The two directors of a company do not agree with the opinion of another and they were not in good terms with each other. The shareholder applied for winding up of the company on this ground. Would he succeed?
10. The objects clause of a company provided that the company can take up any engineering work. The company entered into a contract to lay down a 10 km. stretch of road. Is the contract valid?

Register No.

| | | | | | |
|--|--|--|--|--|--|
| | | | | | |
|--|--|--|--|--|--|

H3JH/
H34B

H 1361

37

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

(For the candidates admitted from 2011 to 2015)

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. Discuss the amount of compensation and the principles to decide quantum of compensation under the Employee's Compensation Act.
2. Examine the role of Employee's State Insurance Corporation in promoting social security benefits to the employees.
3. "Social Security is a major aspect of public policy and the extent of its prevalence is a measure of the progress made by a country towards the ideal of a welfare state" – Discuss.

PART B — (2 × 7 = 14 marks)

Answer TWO of the following in about 300 words each.

4. Enumerate the provisions relating to health of the workmen under the Factories Act, 1948.
5. Examine the schemes provided under the Employee's Provident Funds and Miscellaneous Provisions Act, 1952.
6. Discuss the concept of continuous service under the Payment of Gratuity Act, 1972 with the help of decided case laws.

[P.T.O.]

PART C — (5 × 4 = 20 marks)

7. Write short notes on FIVE of the following :

- (a) Occupier.
- (b) Set on and set off of allocable surplus
- (c) Disablement benefit
- (d) Medical bonus
- (e) Procedure for computation of Gratuity
- (f) Board of trustees
- (g) Shops under the Tamil Nadu Shops and Establishments Act, 1947.

PART D — (2 × 6 = 12 marks)

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

8. Rahu, an employee of a glass factory, is covered under the Employee's State Insurance Act. His principal employer defaults in making his contribution to the Employee's State Insurance Fund resulting in Rahu becoming disentitled to the benefits under the Act. Discuss the remedy available to him.
9. Rathore, an employee of a textile mill, resigned voluntarily from services after serving a period of 10 years. His employer refused to pay him gratuity on the ground that a voluntarily retired employee is not eligible for gratuity – Decide.
10. A factory required its workers who were working 40 hours per week to work 48 hours a week. The workers demanded overtime wages for the additional 8 hours. The management refused to pay extra wages for the additional eight hours – Decide.

Register No.

| | | | | | |
|--|--|--|--|--|--|
| | | | | | |
|--|--|--|--|--|--|

H3JJ/H34D

H 1363

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

(For the candidates admitted from 2011 to 2015)

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. Enumerate and explicate the different kinds of Maritime perils.
2. Analyse the concept of *felo de se* in life insurances.
3. Examine the extent to which the principles of *Uberrimae fidei* is applied in Contracts of insurance.

PART B — (2 × 7 = 14 marks)

Answer TWO of the following in about 300 words each.

4. Explicate the doctrines of Subrogation, Contribution and Reinstatement in relation to fire insurance contracts.
5. Expound the concept of 'No fault liability' and the features of compulsory third party Motor vehicle insurance.
6. State the procedure for assignment of Life insurance contracts.

PART C — (5 × 4 = 20 marks)

7. Write short notes on FIVE of the following.
 - (a) Cover note
 - (b) Hostile fire.
 - (c) Deviation.

[P.T.O.]

- (d) IRDA.
- (e) Knock for knock agreements.
- (f) Nomination
- (g) Aleatory nature of insurance contracts.

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' effects a life insurance policy on his life. He fills in the nomination column by utilising his friend 'D's name. Later he assigns the policy to a creditor 'C' as security for repayment of a loan taken by his brother 'E'. 'A' dies in a plane crash. 'D' claims the insurer's sum as nominee and 'C' claims the same as assignee. Decide.
9. 'A' insures his bike and 'B' his scooter under the Motor Vehicles Act. Later an accident occurs by the fault of A and B. Both claim payment to the claimant from each other insurer's. Decide.
10. 'B' insures his articles under a motor insurance contract and consigns them by sea transit from Port 'D' in India to 'C' in United Kingdom. After commencing voyage from port 'D' the ship owner and captain decide to change the terminus ad quem to port 'E' which is near 'C'. For this purpose they change the route of voyage slightly. After change is effected, by a peril at sea, i.e, attack by pirates the insured goods are lost. 'B' claims indemnity from the Marine insurer. Decide.

Register No.

| | | | | | | |
|--|--|--|--|--|--|--|
| | | | | | | |
|--|--|--|--|--|--|--|

H 1364

43

H3JK/H34E

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

(For the candidates admitted from 2011 to 2015)

Second Year — Fourth Semester

MARITIME LAWS

Time : 2½ hours

Maximum : 70 marks

PART A — (2 × 12 = 24 marks)

Answer TWO of the following in about 500 words each.

1. Analyse Indian position regarding the implementation of international conventions of Maritime law.
2. Define Maritime Claims. Explain the enforcement of Maritime Claims by action in rem and action in personam.
3. "The High Seas shall be reserved for peaceful purposes" – Discuss.

PART B — (2 × 7 = 14 marks)

Answer TWO of the following in about 300 words each.

4. Explain the composition and functions of the International Maritime Organisation.
5. Discuss the procedure for registration of Ship in India.
6. Limitations of Ship owner's liability – Elucidate.

PART C — (5 × 4 = 20 marks)

7. Write short notes on FIVE of the following :

- (a) Cannon Shot Rule.
- (b) Admiralty Bill.
- (c) Juridical Personality of the ship.

[P.T.O.]

- (d) Maritime piracy.
- (e) Maritime Lien.
- (f) Sale of the ship.
- (g) Salvage.

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 X and Y were engaged with international conflicts vis-a-vis maritime issues. Z was a Government ship of X and entered in the waters between the contiguous and that of the exclusive economic zones. Y responded by chasing Z and in consequence it was capsized. Whether X can claim compensation.
9. X owned a fishing ship which was registered in India. Y chartered the ship for Taiwan. Z was the captain of the ship. Z made fishing in the Indian territorial waters. The Government of India took legal actions. Whether X is liable.
10. S.S. Lucy ran aground on a reef. The reef was damaged and petroleum products spilled. S.S. Lucy was salvaged and was no longer on the reef. X was the owner State of the reef. X sought compensation for damage of the reef system as a result of negligent navigation – Decide.

Register No.

| | | | | | | | |
|--|--|--|--|--|--|--|--|
| | | | | | | | |
|--|--|--|--|--|--|--|--|

45

H3KA

H 1365

B.L. (Hons.) DEGREE (SEMESTER) EXAMINATIONS, APRIL 2017.

(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. Examine the reasons for the growth of delegated legislation and explain the constitutional limitations on delegation of legislative powers.
2. "The rapid growth and development of administrative law in India has become the foundation stone of modern political philosophy" – Explain.
3. "Even in the absence of Article 21, in the Constitution, the State has got no power to deprive a person of his life and liberty without the authority of law". Examine the statement in light of Dicey's rule of law.

PART B — (2 × 7 = 14 marks)

Answer TWO of the following in about 300 words each.

4. "Audi alteram partem is a sine qua non of fair hearing" – Discuss.
5. Explain the juristic status of Public Corporations in India relating to their liability in 'Tort' and 'Contract'.
6. Discuss the scope of judicial review of Administrative discretion in the light of fundamental rights.

PART C — (5 × 4 = 20 marks)

7. Write short notes on FIVE of the following :
 - (a) Public Interest Litigation.
 - (b) State of Rajasthan v. Vidhyawathi.
 - (c) Separation of powers.

[P.T.O.]

- (d) Injunction.
- (e) Ombudsman.
- (f) Administrative Tribunals.
- (g) Maneka Gandhi vs UOI.

PART D — (2 × 6 = 12 marks)

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

8. The Government has announced that the new industrial units in the State would be granted exemption from payment of tax for a period of three years. Acting on the above assurance 'K' established a factory. Later the Government withdraws the said benefit. 'K' wants to approach the court. Advise him.
9. Gold belonging to plaintiff was seized by police on the ground that it is a stolen property and placed it in police custody. A policeman ran away with this gold kept in custody. Later it was discovered that the gold is not stolen property. When the plaintiff claimed back the gold the police said that they were helpless. Thereupon the plaintiff files a case against the State for negligence. The State claims immunity. Decide.
10. Some male students of a medical college trespassed into the women's hostel and maltreated the lady students. An enquiry was conducted against the male students and five of them were expelled. The decision was reached on the basis of evidence adduced by the female inmates of the ladies hostel. The girls identified the photographs of the male students. The accused male students were not allowed to be present at the time of taking evidence. Against their expulsion the dismissed students file an original petition to the High Court. Will they succeed?

Register No.

| | | | | | |
|--|--|--|--|--|--|
| | | | | | |
|--|--|--|--|--|--|

47

H3KB

H 1366

B.L. (Hons.) DEGREE (SEMESTER) EXAMINATIONS, APRIL 2017.

(For the candidates admitted from 2011 to 2014)

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. Enumerate the various criminal courts established under the Criminal Procedure Code and briefly state the sentences which each court may pass.
2. Under what circumstances bail is to be granted to non-bailable offences? State the special powers of High Court regarding bail.
3. Explain the salient features of the Juvenile Justice (Care and protection of children) Act, 2015.

PART B — (2 × 7 = 14 marks)

Answer TWO of the following in about 300 words each.

4. Discuss briefly the provisions of the Criminal Procedure Code to ensure a fair criminal trial.
5. Enumerate the procedure to be followed in trial of warrant cases.
6. What is meant by 'Probation'? When is a person entitled to be released on probation in accordance with the Probation of Offenders Act?

[P.T.O.]

PART C — (5 × 4 = 20 marks)

7. Write short notes on FIVE of the following:
- (a) Inquest
 - (b) Public Prosecutor
 - (c) Cognizable offence
 - (d) Police report
 - (e) Review
 - (f) Neglected children
 - (g) Charge.

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 Goa 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' was arrested for the offence of murder. On the request of police, he was remanded upto 90 days. The police could not complete investigation within 90 days and requested for further remand. Discuss what the court can do?
10. Khan and Banu were husband and wife, belonging to Mohammedan Religion. Khan divorced Banu by pronouncing Talaq and gave maintenance for three lunar months and stopped thereafter. Banu claimed maintenance from the husband under the Criminal Procedure Code till her lifetime. Will she succeed?

Register No.

| | | | | | |
|--|--|--|--|--|--|
| | | | | | |
|--|--|--|--|--|--|

49

H3KC

H 1367

B.L. (Hons.) DEGREE (SEMESTER) EXAMINATIONS, APRIL 2017.

(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. "Limitation bars the remedy, but does not extinguish the right" – Discuss.
2. What are the powers of an Appellate Court? When can an Appellate Court admit additional evidence?
3. Explain the modes of service of summons to defendant(s) and witnesses.

PART B — (2 × 7 = 14 marks)

Answer TWO of the following in about 300 words each.

4. Explain the procedures to be followed in filing a suit by an indigent person.
5. What is meant by Res subjudice? Distinguish it from Res judicata.
6. Who are the necessary parties in a suit? What are the effects of non-joinder and misjoinder of parties?

[P.T.O.]

PART C — (5 × 4 = 20 marks)

7. Write short notes on FIVE of the following :
- (a) Suits of civil nature
 - (b) Garnishee order
 - (c) Review
 - (d) Mesne profits
 - (e) Remand
 - (f) Appeal
 - (g) Temporary Injunction.

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 declaration against 'B' on some immovable properties. During the pendency of the suit, 'B' sold the property to 'C'. In a petition filed by 'C', the trial court added him as a party to the suit. 'A' objected the inclusion. Decide.
9. A money decree was passed against a firm in a suit in which the partners were not served individually with summons and the decree holder intends to execute the decree against the personal property of the partners. Decide.
10. A suit was filed by 'A' against 'B'. On the date of hearing, both the parties did not appear before the court. The court dismissed the suit. Advise 'A'.

Register No.

| | | | | | |
|--|--|--|--|--|--|
| | | | | | |
|--|--|--|--|--|--|

51

H3KD

H 1368

B.L. (Hons.) DEGREE (SEMESTER) EXAMINATIONS, APRIL 2017.

(For the candidates admitted from 2011 to 2014)

Third Year — Fifth Semester

PRIVATE INTERNATIONAL 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. Critically examine the procedure for submitting jurisdiction on matrimonial disputes in India.
2. "A Universal application of Private International Law is neither *lex fori* nor *lex causae*" — Comment.
3. Inter-country adoption could be regulated with the aid of domestic legislation rather than international conventions. Analyse this statement with the help of Hague Convention on Inter-Country Adoption 1993.

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. Analyse Renvoi Proper Theory.
6. Recognition and Enforcement of Foreign Judgments in India.

PART C — (5 × 4 = 20 marks)

7. Write short notes on FIVE of the following :
 - (a) *Lex Patriae*.
 - (b) *Lex Loci Contractus*.
 - (c) Domicile of married woman.

[P.T.O.]

- (d) Foreign sovereign.
- (e) Public Corporations.
- (f) In Duke of Wellington.
- (g) Harvey – Vs - Fernie.

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. Malaya and Chiyang, a husband and wife, both Malaysian domiciliaries at the time of their marriage, acquired a French domicile. The husband bought land in his name in France and dies intestate. Widow brought an action in France claiming property. Is her claim sustainable? Decide.
9. Bharathi Pavendan, an Indian national domiciled at Spain had drawn a cheque in favour of Myvizhilian an Afghan domiciled at Harare in December 2009. In March 2013, Bharathi changed his domicile to India. In May 2013, Myvizhilian presented a cheque at the State Bank of India, New Delhi where Bharathi keeps an account. The cheque was dishonoured due to insufficient amount. Myvizhilian filed a suit in October 2013 at New Delhi. Is it maintainable? Advise.
10. Xylo Colour, a registered company and headquartered at Spain and Rainbow Colour, headquartered at Chennai entered into an agreement with Tramways, a Singapore Company to carry chemicals from Spain to India. Tramways could not supply the chemicals in time. Rainbow colour and Xylo colour are about to file a suit for breach of contract. Decide the appropriate forum to file a suit.

Register No.

| | | | | | |
|--|--|--|--|--|--|
| | | | | | |
|--|--|--|--|--|--|

53

H3KE

H 1369

B.L. (Hons.) DEGREE (SEMESTER) EXAMINATIONS, APRIL 2017.

(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. List out the various principles of interpretation while enforcing Directive Principles and Fundamental duties of the Indian Constitution.
2. Enumerate the internal aids of Interpretation.
3. Draft a Special Law on "Right of Innovative Education Bill, 2013" with appropriate internal aids.

PART B — (2 × 7 = 14 marks)

Answer TWO of the following in about 300 words each.

4. Examine the application of "Golden Rule of Interpretation" by the Indian Judiciary.
5. Explain, how to construe penal statutes with respect to mens rea and vicarious liability and its exceptions.
6. Discuss briefly the General Clauses Act, 1897 and its applicability.

PART C — (5 × 4 = 20 marks)

7. Write short notes on FIVE of the following :

- (a) Statement of objects and reasons.
- (b) Dictionaries as an External Aid to Construction.
- (c) Presumption.

[P.T.O.]

- (d) Statutes in pari materia.
- (e) Construction of Taxing Statutes.
- (f) Foreign Decisions.
- (g) Pleasure and Pain 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. Article 350-A of the Indian Constitution read as follows :

Facilities for instruction in mother-tongue at primary stage :

It shall be the endeavour of every State and of every local authority within the State to provide adequate facilities for instruction in the mother-tongue at the primary stage of education to children belonging to linguistic minority groups; and the President may issue directions to any State as he considers necessary or proper for securing the provision of such facilities.

With respect to above said provision execute a Government Order.

9. Section 53 of the Indian Penal Code, 1860 read as follows :

Punishments – The punishments to which offenders are liable under the provisions of this code are –

- (a) Death
- (b) Imprisonment of life
- (c) Imprisonment, which is of two descriptions, namely : –
 - (i) Rigorous, that is, with hard labour
 - (ii) Simple.
- (d) Forfeiture of property
- (e) Fine.

Fix the rules of interpretation while interpreting the above stated provision.

10. “M.C. Mehta – Vs – Kamal Nath”

By applying the principles of interpretation analyse the full facts of the case and establish the concept of “Public Trust Doctrine” pronounced by Indian Judiciary.

Register No.

| | | | | | |
|--|--|--|--|--|--|
| | | | | | |
|--|--|--|--|--|--|

55

H3KG

H 1370

B.L. (Hons.) DEGREE (SEMESTER) EXAMINATIONS, APRIL 2017.

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

Third Year – Sixth Semester

ENVIRONMENTAL LAW INCLUDING ANIMAL WELFARE LAWS

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 constitutional provisions in India for the protection and improvement of the environment.
2. Enumerate the constitution, powers and functions of the Central Board under the Water (Prevention and Control of Pollution) Act, 1974.
3. Define biological diversity and discuss the provisions relating to the determination of equitable benefit sharing by National Bio-Diversity Authority.

PART B — (2 × 7 = 14 marks)

Answer TWO of the following in about 300 words each.

4. Discuss the principles proclaimed in the United Nations Conference on environmental development held at Rio de Janeiro.
5. Examine the effects of deforestation and explain the acts prohibited in protected forests.
6. Explain the restrictions on entry in sanctuary under the Wildlife (Protection) Act, 1972.

PART C — (5 × 4 = 20 marks)

7. Write short notes on FIVE of the following.
 - (a) Eco-labelling.
 - (b) Absolute liability.
 - (c) Environmental Impact Assessment.

[P.T.O.]

- (d) Protection of specified plants.
- (e) Brundtland Commission.
- (f) National Water Policy.
- (g) Central Zoo Authority.

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 was filed to protect the city from the environmental pollution caused by the hazardous industries operating in the city. The court directed these industries to stop functioning or if they could shift or relocate themselves to any other industrial estate under the master plan of the city. The employees who have lost their jobs due to the closure of their industries have filed a writ petition as it has violated their right to livelihood. – Decide.
9. “X” has constructed a Chimney with its holes projecting towards ‘Y’s property. ‘Y’ brought an injunction on the ground that the smoke and fumes from the Chimney was causing injury to his health and discomfort in the enjoyment of his property. The court directed ‘X’ to close the holes in the Chimney facing ‘Y’s side by issuing mandatory injunction. ‘X’ filed an appeal in the High court on the ground that there was no proof of an injury or discomfort to the plaintiff on account of emanation of smoke. Decide.
10. A Public Interest Litigation was filed by a resident against the municipal corporation seeking direction to prohibit the display of illuminated advertisements by use of Neon lights in residential area and also to revoke the permission granted to those traders for display of advertisements on the buildings as the bright light created environmental and health hazards. But it was argued on the other side that traders have fundamental right under Article 19 (1) (g) to have free trade. Decide.

Register No.

| | | | | | |
|--|--|--|--|--|--|
| | | | | | |
|--|--|--|--|--|--|

H 1371

57

~~57~~

H3KH

B.L. (Hons.) DEGREE (SEMESTER) EXAMINATIONS, APRIL 2017.

(For the candidates admitted from 2011 to 2014)

Third Year — Sixth Semester

LAW OF TAXATION

Time : 2½ hours

Maximum : 70 marks

PART A — (2 × 12 = 24 marks)

Answer TWO of the following in about 500 words each.

1. Examine about the two major types of taxes in India and distinguish between the same.
2. Discuss about income from salary and income from other sources, under the Income Tax Act, 1961.
3. Define asset. Analyse the different types of assets under the Wealth Tax Act, 1957.

PART B — (2 × 7 = 14 marks)

Answer TWO of the following in about 300 words each.

4. Discuss about the best judgement assessment.
5. Explain the following :
 - (a) Set-off
 - (b) Carry forward of losses.
6. Define VAT and analyse its advantages and disadvantages.

PART C — (5 × 4 = 20 marks)

7. Write short notes on FIVE of the following :
 - (a) Income Tax Act and Finance Act
 - (b) Assessment year and Finance year
 - (c) Agricultural income

[P.T.O.]

- (d) Net wealth
- (e) Dealer
- (f) Turnover
- (g) Assessee.

PART D — (2 × 6 = 12 marks)

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

8. Decide the following about its deduction, for the assessment year 2017-18.
- (a) Payment towards medical treatment of the dependants.
 - (b) Payment towards education fee.
9. The following are the income and expenditure of Mrs. B, for the previous year 2016-17.

| Income (per annum) | Expenditure (per annum) |
|---|--|
| (a) Salary – Rs. 10 lakhs | (i) Payment for pension scheme – Rs. 2 lakhs |
| (b) HRA – Rs. 1,50,000 | (ii) Payment for Provident Fund – Rs. 4 lakhs |
| (c) Income from house rent – Rs. 10 lakhs | (iii) Payment for medical insurance premium – Rs. 60,000 |
| (d) Agricultural income – Rs. 3 lakhs | (iv) Tuition fee – Rs. 2 lakhs |

Calculate the taxable income of Mrs. B for the assessment year 2017-18,

10. On 31st March, 2017 Mr. Y has the following assets.
- (a) Two houses each valued at Rs. 50 lakhs.
 - (b) Five cars each valued at Rs. 10 lakhs, each running on hire.
 - (c) Cash on hand Rs. 1 lakh.

Calculate the wealth tax of Mr. Y for the assessment year 2017-18.

Register No.

| | | | | | | |
|--|--|--|--|--|--|--|
| | | | | | | |
|--|--|--|--|--|--|--|

H 1372

59

H3KJ

B.L. (Hons.) DEGREE (SEMESTER) EXAMINATIONS, APRIL 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. "New International Economic Order is a guiding star for the distribution of wealth". Comment.
2. Discuss the various methods of settling disputes in International Trade.
3. Do the Regional Organisations comply with the international norms in trade? Justify the reasons with decided cases.

PART B — (2 × 7 = 14 marks)

Answer TWO of the following in about 300 words each.

4. Enumerate the various rounds of WTO.
5. UNCITRAL Model Law on E-Commerce - A need of the hour to go for electronic business transactions. Discuss.
6. Is International Currency necessary for International Trade? Why and how to get it fulfilled?

PART C — (5 × 4 = 20 marks)

7. Write short notes on FIVE of the following :
 - (a) OPEC
 - (b) UNCTE
 - (c) GATS
 - (d) MFN
 - (e) IMF
 - (f) FDI
 - (g) TRIPS

[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. Three countries X, Y, Z are independent states in Pacific region and their rulers are Mr. Idi, Mr. Ami and Mr. Dua respectively. Country 'X' is rich in technology, country 'Y' is rich in agriculture and country 'Z' is rich in oil fields. With respect to the principles of NIEO, country 'X' likes to transfer its technology to countries 'Y' and 'Z' but countries 'Y' and 'Z' did not like to share their resources to country 'X'. So, the non-reciprocal activities made Mr. Idi to impose economic sanctions over countries 'Y' and 'Z'. Whether the action of country 'X' was justified?
9. Government of India allowed "Zulu", a foreign mobile manufacturing company, to establish a new unit in India. India entered into an agreement with Zulu company that India will place Zulu in Special Economic Zone. Zulu announced that Zulu mobiles will come to domestic market in a year and started developing the building and infrastructure. After six months from the date of agreement, a new Government replaces the old one. The new government acquires the farm land in Special Economic Zone and gave it back to the farmers, which were acquired through coercion by the previous Government. Now Zulu sues the Government of India for breach of Contract. Decide the case.
10. The members of SAARC restrict the entry of foreign law firms to do business in their own countries. As SAARC countries are the signatory to WTO-GATS, it should comply with the norms of GATS. Legal services were listed under the first provision of Services Sectoral Classification List of GATS. But, the Bar Council of SAARC is not allowing the foreign law firms as well as law firms of their own member States. Justify their action with respect to GATS.

Register No.

| | | | | | |
|--|--|--|--|--|--|
| | | | | | |
|--|--|--|--|--|--|

H 1373

61

H3KK

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

(For the candidates admitted from 2011 to 2014)

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. "Today markets are complicated social institutions and hence there is a need for regulation" – Analyse the objectives and scope of Competition Law.
2. Explain the meaning of combination as found in the Competition Act and the types of combinations.
3. Discuss the extent to which the Competition Commission of India has succeeded in bringing about and maintaining healthy relevant markets, in India.

PART B — (2 × 7 = 14 marks)

Answer TWO of the following in about 300 words each.

4. Examine the exception to the rule that anti competitive agreements are void.
5. Explicate the powers and functions of the Competition Commission of India.
6. Enumerate the salient features of the Clayton Act, 1914.

PART C — (5 × 4 = 20 marks)

7. Write short notes on FIVE of the following :
 - (a) Bid rigging
 - (b) Raghavan Committee Report, 2000.
 - (c) Competition advocacy
 - (d) Unfair prices
 - (e) Vertical and horizontal restraints
 - (f) Discriminatory Trade practices
 - (g) Composition of the Competition Commission of India.

[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 Gold Trade Association instructed its members not to sell gold per gram below a price fixed by the Association with a threat of expulsion in the event of non-compliance. The members approached the CCI for redressal. Decide.
9. 'Trucon', an Engineering company, entered into an agreement with its Truck dealers setting the geographical limits of operation for each of its dealers and that the dealers will not sell directly or indirectly the truck of any other manufacturer. Decide the validity of these stipulations and the agreement.
10. Telpal was a company having a dominant position in the vitamin market and concluded agreements with many purchasers wherein it included stipulation stating that if they buy all or most of their requirements from Telpal, fidelity rebates will be given to them. Decide whether this amounts to abuse.

Register No.

| | | | | | |
|--|--|--|--|--|--|
| | | | | | |
|--|--|--|--|--|--|

H 1374

63

H3KM

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

(For the candidates admitted from 2011 to 2014)

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. "The model law on e-commerce deals with different types of business transaction" – Comment.
2. Explain the characteristics of Cyber crime and examine the law relating to combating of cyber crimes in India.
3. What is digital signature? Explain the process of issue of digital signature certificate and when and how the certificate is suspended and revoked?

PART B — (2 × 7 = 14 marks)

Answer TWO of the following in about 300 words each.

4. Define Cloud computing. Discuss briefly the service model and deployment model of cloud computing.
5. What are the challenges faced in copyrighting of a computer program?
6. Define Metatag. Whether initial interest confusion is an infringement of Trade Mark?

PART C — (5 × 4 = 20 marks)

7. Write short notes on FIVE the following :
 - (a) Convergence technology
 - (b) Reverse Engineering of computer programme
 - (c) Freeman – Walter – Abele Test
 - (d) Define Crypto system and encryption
 - (e) Cyber terrorism
 - (f) Define Peer 2 Peer Technology in the light of Napster case.
 - (g) Sliding scale test or Zippo test.

[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. Defendant Raj being an employee of the plaintiff company started sending derogatory, defamatory, obscene, vulgar, filthy and abusive emails to his employers, as also to different subsidiaries of the said company all over the world, with the aim to defame the company and its Managing director Rakesh. The Plaintiff filed a suit for permanent injunction restraining the defendant from doing illegal acts of sending derogatory emails said above. Decide the case.
9. A business rival obtains the information (eg. tender quotations, business plan etc.) using hacking or social engineering. He then uses the information for the benefit of his own business (eg. quoting lower rates for the tender). Bring out the liability of business enterprises.
10. Plaintiff TATA son Ltd. registered the domain name 'tata.com'. TATA Co. are pioneering the iron and steel, textiles, power, chemicals, hotels and automobile industry in India and that the TATA brand encompasses diverse business and service such as computer and computer software, electronics, telecommunications, financial services, mutual funds, tea and publishing. They have been continuously and consistently using the trade mark and trade name TATA. The defendant, an NGO, registered the following variations of domain name, incorporating the trade mark "TATA" like tatapower.com, tatahydro.com, tatawestside.com, tatahoneywell.com, tatateleservices.com, tatassl.com, jrdtata.com, ratantata.com using the website as a protest page against the Tata group of Co. for setting up a project in an environment fragile area. Discuss the liability of defendant.

