



0451

Fourth Semester LL.M. (Constitutional Law) Examination, December 2013
Course – I : LAW OF WRITS

Duration : 3 Hours

Max. Marks : 80

- Instructions:** 1. Answer **all** questions.
2. Answer **one** essay type and **one** short note question from **each** Unit.
3. Figures to the **right** indicate marks.

Q. No. 1. (a) Trace the growth and development of law of writs in United Kingdom. Marks : 10

OR

‘No finality clause contained in any statute and expressed in any language can bar the judicial review available under Article 32 or 226 of the Constitution’ – Comment.

(b) Salient features of Article 226. Marks : 6

OR

Salient features of Article 32.

Q. No. 2. (a) ‘Though existence of alternative remedy does not oust the jurisdiction of writ courts, yet it would be a good, ground for not entertaining the petition’ – Explain. Marks : 10

OR

‘Reach of the public law review is directly proportionate to the reach of the writ jurisdiction of the courts’ – Elucidate.

(b) Public interest litigation is not in the nature of adversary litigation – Discuss. Marks : 6

OR

Measure of delay.

P.T.O.

0451



- Q. No. 3. (a) The jurisdiction under Articles 226 and 227 are separate and independent – Discuss. Marks : 10

OR

Explain the salient features relating to writ procedure mentioned under order XXXV of the Supreme Court Rules, 1966.

- (b) Procedure for filing common or joint petitions under Karnataka Writ Proceedings Rules, 1977. Marks : 6

OR

Contents of writ petition.

- Q. No. 4. (a) Norms of judicial review of an Administrative Policy are more exacting and intrusive than the legislative policy – Elucidate. Marks : 10

OR

Mandamus is the most effective residuary remedy in public law – Discuss.

- (b) Moulding of relief. Marks : 6

OR

Compensation under writ of habeas corpus.

- Q. No. 5. (a) Writ petition is maintainable where the petitioner's grievance is mainly against the action of the 'state' or its instrumentality – Explain. Marks : 10

OR

Under Article 226, the High Court have power to issue writs and directions not only for the enforcement of fundamental rights but also for 'Other purposes' – Elucidate.

- (b) Writ against legislature. Marks : 6

OR

Necessary and proper parties to a writ petition.
