



Fourth Semester LL.M. (Const.) Examination, June 2011
LAW OF WRITS
Specialization (Paper – VII) (Course – I)

Duration : 3 Hours

Max. Marks : 80

- Instructions :** 1. Answer **all** questions.
2. Figures to the **right** indicate marks.

Q. No. 1. (a) Discuss the importance of constitutional remedies. Marks : 10

OR

Critically examine the nature and scope of writ of quo warranto.

(b) What are prerogative writs ? Marks : 6

OR

Who can apply for certiorari ?

Q. No. 2. (a) Write a critical appraisal of public law remedies vis-a-vis private law remedies. Marks : 10

OR

“Res judicata is basically a rule of private law but has been transposed into the area of writ proceedings as well.” Discuss.

(b) Write a note on injunctions. Marks : 6

OR

What is the effect of delays and laches in writ proceedings ?

Q. No. 3. (a) “Art. 136 does not confer a right of appeal upon the party but merely vests a discretion in the Supreme Court to interfere in exceptional cases.” – Comment. Marks : 10

OR

Explain how different is the position of writs under the constitution from the pre-constitution period.

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(b) Explain the procedure of filing a common or joint petition in the High Court of Karnataka.

Marks : 6

OR

‘No action lies in the Supreme Court under Art 32 unless there is an infringement of a fundamental right’. Comment.

Q. No. 4. (a) Explain how the courts in exercise of writ jurisdiction are moulding the relief in writ petitions.

Marks : 10

OR

Critically examine the courts power of issuing directions and supervision of administrative actions.

(b) What are the limits of Mandamus ?

Marks : 6

OR

Explain the “no-certiorari” clauses and their effect.

Q. No. 5. (a) How is the power of review exercised in cases of writ proceedings ?

Marks : 10

OR

Explain the nature and scope of High Court’s jurisdiction under Art. 226 for “any other purposes”.

(b) What is the effect of dismissal in limine ?

Marks : 6

OR

What is speaking order ? Can there be a dismissal of petition without speaking order ?
