



IV Semester LL.M. Examination, December 2012
Spl. Paper – 7 : LAW OF WRITS
Constitutional Branch

Duration : 3 Hours

Max. Marks : 80

- Instructions:** 1. Answer **all 5** questions.
2. Figures in the **right** indicate marks.

Q. No. 1. (a) Discuss the historical evolution of writs in India. Marks : 10

OR

‘Unless a question of the enforcement of a fundamental right arises, Article 32 does not apply’ – Comment.

(b) Write a note on :

Distinction between Article 32 and 226. Marks : 6

OR

The territorial jurisdiction of High Courts in respect of writs.

Q. No. 2. (a) Availability of an alternative remedy is one of the consideration which the High Court may take into account to refuse to exercise writ jurisdiction – comment. Marks : 10

OR

The traditional rule of standing which confines access to the judicial process only to those to whom legal injury is caused has now been jettisoned by public interest litigation – comment.

(b) Write a note on :

Delay and laches in writ petitions. Marks : 6

OR

Costs in writ petitions.

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Q. No. 3. (a) The power to grant special leave to appeal is discretionary and therefore, cannot be defined exhaustively. Elucidate. Marks : 10

OR

Enumerate the procedural requirements relating to filing of writs before the Supreme Court under the Supreme Court Rules 1966.

(b) Write a note on :
Premature writ. Marks : 6

OR

Abatement of writ petition.

Q. No. 4. (a) 'The writ of habeas corpus is a prerogative writ, an extraordinary remedy, which is issued upon cause shown in cases where the ordinary legal remedies are inapplicable or inadequate – comment. Marks : 10

OR

Discuss the circumstances under which the writ of mandamus cannot be issued.

(b) Write a note on :
Distinction between prohibition and other writs. Marks : 6

OR

Error of law apparent on the face of record.

Q. No. 5. (a) Discuss the concept of 'other authorities' in view of writ jurisdiction of the apex court. Marks : 10

OR

Discuss the circumstances in which interim relief can be granted or refused by the courts in writ petitions.

(b) Write a note on :
Oral evidence in writ petitions. Marks : 6

OR

Armed forces and writ jurisdiction.