

Reg. No. :

Name :

Sixth Semester B.A. LL.B./B.B.A. LL.B/B.Com. LL.B. (Five Year Integrated)
Degree Examination, February 2022.

Paper III – ADMINISTRATIVE LAW

Time : 3 Hours

Max. Marks : 80

PART – I

Answer **any five** questions. Each question carry **2** marks. Answer should not exceed **60** words.

1. (a) Droit Administratif.
- (b) Rule of law.
- (c) Conditional legislation.
- (d) Reasoned decision.
- (e) Writ of mandamus.
- (f) Domestic tribunals.
- (g) Res judicata.

(5 × 2 = 10 Marks)

P.T.O.

PART – II

Answer **any four** questions. Each carry **4** marks. Answer should not exceed **120** words.

1. Excessive delegation
2. Promissory estoppel
3. Limitation on doctrine of pleasure
4. Legitimate expectation
5. Test of Real likelihood of bias.

(4 × 4 = 16 Marks)

PART – III

Answer **any four** questions. Each question carries **6** marks.

1. A statute which governs universities enable the chancellor to issue direction to universities in the administrative or academic interests. In exercise of that power, the chancellor directed the university to regularise the service of an ineligible teacher on compassionate grounds. The contention of the university was that the chancellor invoked "removal of difficulty clause". The action was challenged as excessive delegation. Decide.
2. The state made a pension scheme providing higher pension to a govt. servant retiring before a particular date and lower pension to others, retiring after such cut off date. The scheme was challenged as arbitrary discriminatory and ultra vires. Decide.
3. X was one of the candidate for selection to IFS and was also a member of the selection Board. X did not sit in the Board when his own name was considered. Name of X was recommended by the Board and he was selected. The candidates who were not selected filed a writ petition for quashing the selection of X on the ground that the principles of natural justice were violated. Will the petitioners succeed?

4. The govt. did not grant sanction to prosecute the appellant, who is a public servant, under the provisions of prevention of corruption act. The complainant filed a petition in the High court and the High Court directed the authorities to grant sanction. The appellant was prosecuted and convicted. The appellant approached the Supreme Court on the ground that the authority has acted under dictation. Decide.
5. At the request of a govt. officer, the contractor constructed a building. The possession was obtained by the officer and the building was used by the govt, but no payment was made to the contractor. The contractor filed a suit and the contention of the govt. servant was that as the provision of Art. 299(1) of the constitution had not been complied with, the contract is not enforceable. Decide.

(4 × 6 = 24 Marks)

PART – IV

Answer **any three** questions. Each question carries **10** marks. Answer should not exceed 300 words.

1. Explain the nature of administrative discretion. Examine the position in *Ludia* stating whether the courts will interfere with the discretionary power exercised by the administration and if so under what circumstances.
2. Describe the list of substantive ultravires. Explain the circumstances in which delegated legislation can be held invalid?
3. Explain the nature and scope of judicial control of administrative action with respect to declarations and injunctions.
4. Elaborate the reasons for the growth of administrative law in India. Explain the doctrine of separation of powers. Whether a strict separation of powers is possible in India.

(3 × 10 = 30 Marks)