

Reg. No. : .....

Name : .....

Third Semester LL.M. Degree Examination, August 2019

Branch II – Constitutional Law

Paper VI : JUDICIAL REVIEW OF LEGISLATION

Time : 3 Hours

Max. Marks : 75

Answer **all** questions. All questions carry equal marks.

1. (a) What is judicial review of legislation and discuss the evolution of judicial review of legislation in the light of *Marbury v. Madison case*.

OR

- (b) Discuss the limitations on the validity of statutes enacted by the legislature and the limitations of the judiciary in reviewing the legislations.

2. (a) Examine how far judicial review of legislation is permitted in UK and evaluate the position after the adoption of the Human Rights Act. 1998.

OR

- (b) Give an account of the role of judiciary in reviewing legislations under the Indian and Australian Constitution.

3. (a) Distinguish subordinate legislation and administrative instructions and discuss how far subordinate legislations and administrative instructions are reviewable in India.

OR

- (b) Explain the rule of *ultra vires* with the support of relevant case laws.

4. (a) Elaborate the conceptual basis and constitutional principles relating to eminent domain under the Indian and US Constitution.

OR

- (b) Give an account of the nature of legislations included in 9<sup>th</sup> schedule and examine the extent to which judiciary can review such legislations.

5. (a) Define the doctrine of *non-est* and compare the Indian and American position.

OR

- (b) Explain the doctrine of eclipse and colourable legislation with the support of case laws.
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