

Reg. No. :

Name :

Third Semester LL.M. Degree Examination, May 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) Judicial review is one of the checks and balances in the system of separation of powers – Comment.

OR

- (b) Strong judicial review is democratically problematic – Elucidate.

2. (a) Briefly explain the constitutional basis of judicial review of legislation in India.

OR

- (b) The best known power of American Supreme Court is judicial review and it is not found within the text of us constitution. Narrate the evolution and development of Judicial review in USA.

3. (a) Examine procedural ultravires as a ground of judicial review of delegated legislation.

OR

- (b) Compare the contrast judicial review of legislation with judicial review of administrative action with decided cases.

4. (a) With I.R. Coelho V. State of Tamilnadu the Supreme Court has weakened the Constitutional protection to progressive laws in Ninth Schedule and made it vulnerable to legal challenge. Comment.

OR

- (b) Examine the impact of 42nd and 44th amendments on judicial review of legislation.

5. (a) Briefly discuss the doctrine of eclipse and its applicability to pre constitutional as well as post constitutional laws.

OR

- (b) Write short notes on :

- (i) doctrine of severability
 - (ii) doctrine of occupied field.
-