



(Pages : 2)

8172

Reg. No. : .....

Name : .....

**Third Semester Integrated B.A. LL.B. Degree Examination, February 2013**  
**Paper – IV : JURISPRUDENCE-**

Time : 3 Hours

Max. Marks : 80

**PART – A**

Answer **any five** of the following **not** exceeding 50 words each. Each question carries 2 marks.

- 1. Persuasive precedent.
- 2. Prescription
3. Question of law and fact
- 4. General custom
- 5. Incorporeal property
- 6. Obiter dicta
- 7. Imperfect rights
8. Vested ownership.

(5×2=10.Marks)

**PART – B**

Answer **any four** of the following **not** exceeding 120 words each. Each question carries 4 marks.

1. "A right is a legally protected interest". Discuss.
- 2. When does custom become law ?
3. Right in repropria and Right in realiena.
4. What is the purpose of criminal justice ?
5. "Judge made law is incomplete and unsystematic". Discuss.
6. Distinguish between possession in fact and possession in law.

(4×4=16 Marks)

V. A. Vishwanth



8172

PART - C

Answer any four of the following. Each question carries 6 marks.

1. The plaintiff was travelling by a car along the public road sustained serious injuries as a result of the fall of a neem tree standing on the defendants premises by the side of the road. Is the defendant liable ?
2. An Indian citizen obtain a passport to go abroad. The Govt. impounded his passport without any notice. The aggrieved party moved the Supreme Court saying that his fundamental right has been infringed by the Govt. - Decide.
3. A police constable recovered two gold bars from an arrested accused. The police constable was not found afterwards. The arrested person was released from jail. Since he was found not guilty, he claimed the gold bars from the Govt. will he succeed ?
4. The Kerala State passed a law which stated that there was no creamy layer in the state at all. The aggrieved party challenges the law as violative of his fundamental right. Decide.
5. A peoples movement called a bundh on a working day. The business people of the locality would like to file a suit for restraining the people's movement from their purported action and claiming protection to keep open their shops as usual on that day. Give legal advise. (4x6=24 Marks)

PART - D

Answer any three of the following. Each question carries 10 marks.

1. Explain how legislation is superior to judicial precedent as a source of law.
2. Discuss briefly the theories of punishment. Which do you consider is the most satisfactory theory ?
3. "The definition of law as a command of the sovereign is incomplete and inadequate". Explain.
4. Discuss the correctness of the statement that possession of land necessarily confers possession of all things that are on or under it.
5. Explain how far the search for ratio-decidendi provides scope for the creative role of judges to make law. (3x10=30 Marks)