

LL.B. DEGREE II SEMESTER EXAMINATION, JULY 2006

C 09 ADMINISTRATIVE LAW

Time : 3 Hours

Maximum marks : 75

PART – A(Answer **ANY FIVE** questions)(All questions carry **EQUAL** marks)

(5 x 6 = 30)

- I. 1. Define administrative law and distinguish it from constitutional law.
2. State and explain the principles of rule of law as restated by Dicey.
3. Describe the French system of Droit administratif.
4. Trace the reasons for the growth of delegated legislation in India.
5. Explain briefly the writ of Mandamus.
6. Describe safeguards provided for the civil servants under the Indian constitution.
7. Examine the merits and demerits of administrative tribunals in comparison to the courts.
8. Explain the doctrine of 'unreasonableness'.
9. Explain the doctrine of fairness as laid down in *Ridge v. Baldwin*.

PART – B(Write short notes on **ANY TWO** questions)(All questions carry **EQUAL** marks)

(2 x 12½ = 25)

- II. Government of Kerala entered into an agreement with company 'X' Ltd. that the company could purchase its own land for procuring raw materials required by it for production. It was further agreed that the government would not interfere with land so purchased for a period of sixty years. In pursuance of this agreement the company purchased three thousand acres of land investing a huge amount. However, the government before the expiry of sixty years acquired the land by a law passed by Legislative Assembly. Company 'X' Ltd. files a case against the State. Discuss.
- III. A local authority was conferred with the power to acquire land for public purpose of improvement of the locality. The local authority acquired compulsorily certain land considering the possible increase in the value of land. This act of the authority was challenged as an abuse of power. Decide.
- IV. Some male students of a medical college trespassed into the women's hostel and maltreated the lady students. An enquiry was conducted against the male students and five of them were expelled. The decision was reached on the basis of evidence adduced by the female inmates of ladies hostel. The girls identified the photographs of the male students. The accused male students were not allowed to be present at the time of taking evidence. Against their expulsion the dismissed students file an original petition to the High Court. Will they succeed ?

PART – C(Write short notes on **ANY TWO** questions)(All questions carry **EQUAL** marks)

(2 x 10 = 20)

- V. Explain various grounds on which the courts check the non exercise of discretion by administrative authorities.
- VI. Describe the tortious liability of state under the Indian law.
- VII. Examine the relevance of the doctrine 'Nemo iudex in causa sua' in controlling quasi judicial powers of administration.