



TAMILNADU NATIONAL LAW UNIVERSITY

QUESTION PAPERS



MID SEMESTER (ODD-SEMESTER)
EXAMINATIONS,
SEPTEMBER -2021 & NOVEMBER - 2021

EN001-21

Name :

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TAMIL NADU NATIONAL LAW UNIVERSITY, TIRUCHIRAPPALLI

B.A. LL.B. (Hons) / B.Com. LL.B. (Hons) Degree Programme

First Year, First Semester, Mid Semester (Odd-Semester) Examinations, November- 2021

ENGLISH-I/ BUSINESS ENGLISH-I

Time: 2 Hours

Maximum Marks: 20

PART – A (2 x 10= 20 Marks)

Answer the following questions in not more than 500 words:

- 1) Bring out the various stages involved in paragraph writing by referring to the *idea* as the basic unit and *language* as its means for communication. With this background, attempt a model paragraph on the concepts “Sign, Signifier and Signified”.
- 2) Attempt a Persuasive or Expository essay on the topic “Literature is a reflection of humanity”.

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TAMIL NADU NATIONAL LAW UNIVERSITY, TIRUCHIRAPPALLI
B.A. LL.B. (Hons) and B.Com. LL.B. (Hons) Degree Programme
First Year, First Semester, Mid Semester (Odd-Semester) Examinations, November 2021

SOCIOLOGY –I (A Critical Introduction)

Time: 2 Hours

Maximum Marks: 20

PART – A (2 X 10= 20 Marks)

Answer the Following Questions in your own words:

1. Linton called Culture “The Social Heritage of Man”. How will you justify this statement with appropriate examples?
2. Analyse the various theories of Socialization and its stages with appropriate examples.

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First Year, First Semester, Mid Semester(Odd-Semester) Examinations, November 2021

POLITICAL SCIENCE – I (Political Theory and Organizations)

Time: 2 Hours

Maximum Marks: 20

PART – A (2 X 10= 20 Marks)

Answer the Following Questions. Each Answer should not be less than 400 Words.

1. *“The Community perpetually retains a supreme power of saving themselves from the attempts and designs of any body....wherever they shall be so foolish or so wicked as to lay and carry on designs against the liberties and properties of the subject... whenever anyone shall go about to bring them to slavish condition, they will always have a right...to rid themselves of those who invade this fundamental, sacred and unalterable law of self-preservation.”* – Critically analyse the statement in the light of the political theories studied so far. Illustrate with examples.
2. *“It is impossible to make legal theory of sovereignty valid for political philosophy. Almost every human association has a political system”*- Do you agree with this statement? Provide your reasons.

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First Year, First Semester, Mid Semester (Odd-Semester) Examinations, November 2021

BUSINESS ORGANISATION AND MANAGEMENT

Time: 2 Hours

Maximum Marks: 20

PART – A (4 x5= 20 Marks)

Answer the Following Questions

1. Dr. Sanvi is an orthopedic surgeon in AIIMS Hospital and Dr Maruti, her friend is a Pediatrician who has set his own clinic. Dr Maruti's wife, Ms. Aditi operates her Cosmetic store.

Compare & differentiate in detail the nature of tasks undertaken by them.

2. Tea is mainly produced in Assam, while cotton in Gujarat & Maharashtra but they are required for consumption in different parts of the country. Explain in detail:

- (a) How can this hindrance of place be removed?
- (b) Explain what business activity will it be categorized?

3. Ravi, Pradeep, Satyender and Dharmender are partners in a partnership firm. Ravi and Satyender take active part in the operation of business whereas Pradeep has contributed in Capital but does not take part in day-to-day activities of the business. Dharmender is a nominal partner. All four make partnership for a specified time period and also make written agreement to govern the partnership but they do not get the firm registered.

- What is meant by nominal partner?
- Which type of partnership is there between the partners in above?
- What is written agreement between the partners called?
- What type of partners Pradeep and Ravi are?
- Give two merits of getting firm registered.

4. Maharashtra Pharmaceuticals Ltd., registered under the Companies Act, 1956, was started with a paid up capital of Rs 50, 00,000/-. 40% of this paid-up capital is in the hands of private individuals and balance is held by the government of Maharashtra.
- a. Maharashtra Pharmaceuticals Ltd., belongs to which form of sector enterprise.
 - b. Explain in detail the form of sector enterprise features and merits.
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First Year, First Semester, Mid Semester (Odd-Semester) Examinations, November 2021

ECONOMICS - I (Principles of Economics)

Time: 2 Hours

Maximum Marks: 20

PART – A (2 X 5= 10 Marks)

Answer the Following Questions:

- When the price of a good increased by 10 percent, the quantity demanded of it decreased by 2 percent.
 - Is the demand for this good elastic, unit elastic, or inelastic?
 - Does this good have close substitutes or poor substitutes? Is this good more likely to be a necessity or a luxury and to be narrowly or broadly defined? Why?
 - Calculate the price elasticity of demand for this good; explain how the total revenue from the sale of the good has changed; and explain which of the following goods this good is most likely to be: orange juice, bread, toothpaste, theatre tickets, clothing or blue jeans.
- A manufacturing plant has a short-run cost function of $C(q) = 100q - 4q^2 + 0.2q^3 + 450$. What are the firm's short-run fixed cost and variable cost functions? Derive the formulas for its marginal cost, average variable cost, average fixed cost, and average cost. Draw two figures, one above the other.

PART – B (1 X 10= 10 Marks)

Answer the Following Questions:

- Find a measure of consumer surplus at $Q = 4$, for the demand function $Q = \frac{28-P}{4}$. Evaluate Consumer Surplus. Entire area under demand curve between 0 and $Q=4$:

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First Year, First Semester, Mid Semester (Odd-Semester) Examinations, November 2021

FINANCIAL ACCOUNTING AND PRACTICAL AUDITING

Time: 2 Hours

Maximum Marks: 20

PART – A (20 Marks)

Answer the Following Questions

1. (a) The followings are the business transactions of Mr. Tree for the month of April 2021.
 (16 Marks)

Date	Transactions
1	Mr. Tree started a business with the followings: Cash – Rs.1,00,000 Buildings – Rs.5,00,000 Machinery – Rs.3,00,000 Stock - Rs.1,00,000
2	The Bank account opened with Rs.50,000
5	Goods purchased from Mr. Neem for Rs.1,00,000 on Credit
6	Goods purchased from Mr. Apple for cash Rs.75,000
8	Goods sold to Mr. Orange for Rs. 1,50,000 on credit
11	Goods returned to Mr. Neem Rs.5,000
13	Neem's account has been settled by payment of Rs.94,000
14	Goods sold for Cash Rs.1,80,000
17	Goods returned by Mr. Orange Rs.6,000
19	Cash Received from Mr. Orange Rs.1,00,000
24	Goods costing Rs. 5,000 has distributed as free samples.
30	Salary paid Rs.10,000

Prepare the journal entries and ledger accounts for the above said transactions for the month of April, 2021.

(b) Prepare the trial balance for the following Closing balances

(4 Marks)

Sl. No.	Balances	Total
1.	Capital	5,00,000
2.	Cash in Hand	20,000
3.	Cash at Bank	1,80,000
4.	Machinery	3,00,000
5.	Land & Building	5,00,000
6.	Debtors	2,35,000
7.	Creditors	4,25,000
8.	Purchase	1,90,000
9.	Salary paid	50,000
10.	Commission Received	25,000
11.	Loan from bank	3,00,000
12.	Sales	2,25,000

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First Year, First Semester, Mid Semester (Odd-Semester) Examinations, November 2021
LEGAL METHODS

Time: 2 Hours

Maximum Marks: 20

PART – A (20 Marks)**Answer the following questions.**

1. Analyse the relationship between ANY ONE of the following pairs (5 Marks)
 - (a) Ordinary Law and Constitutional Law
 - (b) Constitutionalism and Separation of Power
2. For ANY ONE of the following, briefly analyse what you have learnt about: (5 Marks)
 - (a) The Trolley Car Problem and the Nature of the Law
 - (b) The Case of the Speluncean Explorers and the Role of Judges
3. The following is an extract from a judgment analysing the meaning of a particular provision and its applicability to a certain set of facts. To answer this question, please follow these instructions very carefully. (10Marks)
 - (a) For the Provision:
 - (i) Identify the important words and phrases in the provision that are open to interpretation.
 - (ii) Identify the structural information from the provision that aid the provision's interpretation.

Note: Please reproduce the provision in your answer sheet and mark accordingly.

(b) For the Extract of the Judgment:

- (i) Identify the central issue(s) or question(s) that are being asked.
- (ii) Identify the references the Court makes to different rules of interpretation.

Note: Please only reproduce the exact quotes/lines from the judgment you find relevant in your answer sheet. There is no need to copy down the entire judgment.

(c) What is your overall impression of the judgment? Would you provide any additional reasons or word anything differently?

Provision:

Under Section 5(a) of the Sales Tax Act, the State may impose taxes on entertainment which means taxes on entertainment such as a horse race or cinematography shows including exhibition of video films to which persons are admitted on payment.

Extract of Judgment:

A Drive-in-Cinema means a cinema with an open-air theatre premises into which admission may be given normally to persons desiring to view the cinema while sitting in motor cars. The respondent is a proprietor of one such Drive-in-Theatre of the respondent. The Drive-in-Theatre has also an auditorium wherein other persons who are without cars, view the film exhibited therein either standing or sitting. The persons who are admitted to view the film exhibited in the auditorium are required to pay Rs.3/- for admission therein. If any person desires to take his car inside the theatre with a view to see the exhibition of the films while sitting in his car in the auditorium, he is further required to pay a sum of Rs.2/- to the proprietor of the Drive-in-Theatre. The appellant State in addition to charging entertainment tax on the persons being entertained, levied entertainment tax on admission of cars inside the theatre. This levy on 'cars' was challenged by the proprietors of the Drive-in-Theatres as according to the proprietors, the State does not have the power to levy tax on admission of cars/motor vehicles inside the Drive-in-Theatre as that cars/motor vehicles are not the persons entertained.

Under Section 5(a) the State is competent to levy tax on entertainment. The incidence of tax is on entertainment. Since entertainment necessarily implies the persons entertained, therefore, the incidence of tax is on the person entertained. It cannot be disputed that the car or motor vehicle does not go inside the Drive-in-Theatre of its own. It would be entirely illogical to argue otherwise. It is driven inside the theatre by the person entertained. In other words the person entertained is admitted inside the Drive-in Theatre along with the car/motor vehicle. Thereafter the person entertained while sitting in his car inside the auditorium views the film exhibited therein. This shows that the person entertained is admitted inside the Drive-in Theatre along with the car/motor vehicle. This further shows that the person entertained carries his car inside the Drive-in-Theatre in order to have better quality of entertainment. The quality of entertainment also depends on with what comfort the person entertained has viewed the cinema films. If the purpose of the tax is to collect monies on people's entertainment, then the tax must also be proportionate to the quality of the

entertainment as well. The quality of entertainment obtained by a person sitting in his car would be different from a squatter viewing the film show. In the present case, a person sitting in his car or motor vehicle has the luxury of viewing cinema films in the auditorium. It is the variation in the comfort offered to the person entertained for which the State Government has levied entertainment tax on the person entertained. Literally one may say that it is the 'car' on which the tax is being imposed and that 'cars' are not persons being entertained, but the real nature and character of impugned levy is not on the admission of cars or motor vehicles; but the levy is on the person entertained who takes the car inside the theatre and watches the film while sitting in his car. We are, therefore, of the view that in substance the levy is on the person who is entertained. Whatever be the nomenclature of levy, in substance, the levy under heading admission of vehicle is a levy on entertainment and not on admission of vehicle inside the Drive-in-Theatre. The word entertainment is wide enough to comprehend in it, the luxury or comfort with which a person entertains himself. The levy is therefore justified and valid.

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Second Year, Third Semester, Mid Semester (Odd-Semester) Examinations, November 2021
CONSTITUTIONAL LAW –I

Time: 2 Hours

Maximum Marks: 20

PART – A (20 Marks)

Answer the following questions.

1. For ANY TWO of the following statements, decide whether they are true or false. It is not necessary that you definitively decide - if you believe that the statement is partially true and partially false, or are otherwise conflicted, you may say so. All decisions must be backed by reasons and appropriate examples. (8 Marks)
 - a. Article 395 of the Constitution has no legal relevance.
 - b. An artificial person can seek redressal of its fundamental rights under Article 32/226.
 - c. Certain modes of constitutional interpretation will always lead to certain kinds of political outcomes. For instance, a textualist approach to constitutional interpretation will always lead to conservative outcomes.
 - d. Deciding matters of Citizenship is an absolute right of the government and is not open to question either by the international community or the domestic courts of the country.
2. That the Constitution of India has survived 75 years is a great puzzle to many scholars. Hanna Lerner believes that the answer lies in an incrementalist approach, Granville Austin believes that it has much to do with the formation and processes of

the Constituent Assembly. While engaging with these accounts, identify, what in your opinion, are the pivotal reasons for the Indian Constitution's continued endurance.

(6 Marks)

3. Indiana and Bangarpur are neighbouring countries with a long history of border disputes. Most of their disputes concern a group of islands in the Pacifica Ocean across which a line had been drawn by a third party country in 1946. One of these islands is Pitraki. Since independence in 1947, Pitraki has been administered as a part of the State of Teluva in Indiana. However, Pitraki has never been explicitly mentioned in Schedule I of the Indiana Constitution which details the country's territory.

In 1989, after years of negotiation, the two countries entered into the Border Settlement Treaty where a new line was drawn across the islands in the Pacifica demarcating the official border between the two countries. As a result of this line, Pitraki fell to Bangarpur and was taken over by it.

In 2019, the State of Teluva petitioned the Supreme Court of Indiana requesting that the Court direct the Government of Indiana to retake control of the island of Pitraki from Bangarpur arguing that the Border Settlement Treaty of 1989 is without legal effect. As a law clerk of one of the judges deciding the case, you are instructed to prepare a brief on the matter. Your brief needs to contain:

1. The questions the Court has to decide
2. The constitutional provisions and precedent(s) relevant for the case at hand
3. The potential legal conclusion(s) of the case at hand
4. The relief, if any, that can be granted by the Court

(6 Marks)

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LAW OF TORTS

Time: 2 Hours

Maximum Marks: 20

PART – A (4 x 5= 20 Marks)

Answer the Following Questions in your own words:

1. Mr. Kim is a famous filmmaker who resides in Mumbai, Maharashtra. His movies are most often based on government policies and include dialogues that criticise the government. In one particular movie, Mr. Kim included a criticism of the imposition of Goods and Services Tax (GST) in the country. Before the release of the movie, he gave an interview in his villa combined with a photoshoot. Post release of the movie, he was highly criticised by many political leaders. This led to a war of words between Mr. Kim and Mr. Park, a Member of Parliament from the Maharashtra government. After this incident, Mr. Kim received a notice of demolition from the Mumbai City Corporation (MCC) stating that he is undertaking illegal constructions to alter structures of his existing villa. Mr. Kim replied to the MCC that he had got proper approvals from the Corporation before starting construction work and that he has completed the alterations and no current construction work was going on. Mr. Kim flew to Delhi on a business trip and came to know that around 50% of his villa was demolished by the MCC authorities.
In light of the above facts, whether the MCC can be held liable? Support your answer with appropriate legal principles and case laws.
2. In the following situations, identify if any defence(s) can be pleaded by the defendant. Explain why a defence can or cannot be successful and use relevant case laws to support your statements.
 - a) Central City is a populous city. A famous hospital was located in Flash Street that caters to the entire city. Due to the fast spread of *Coronavirus*, the government authorised the hospital as a Dedicated COVID care hospital after considering the

opinions of an expert committee. The Flash Street Residents Association (FSRA) opposed this move as it may create a danger of infection to the residents living in the area. FSRA approaches the Court for an injunction seeking to remove the designation of a COVID care hospital for causing nuisance. (2.5 Marks)

- b) Draco has been living in his own house in the town of Hogsmeade. Harry moves to Hogsmeade to live and buys a house next to Draco. Draco does not like to invite strangers to his house. Unfortunately, due to an accident in his house a fire was started and he had called firemen to put off the fire. Harry saw smoke coming from Draco's house and entered Draco's house innocently to provide help. Draco enraged by seeing an uninvited stranger in his house sued Harry for trespass.

(2.5 Marks)

3. Mickey placed spring guns in his garden for future protection. However, he had not put any warning sign for the same. One day, Minnie with the intention of stealing flowers tried to trespass into Mickey's garden and got injured. Minnie had the knowledge that spring guns were placed in the garden. Minnie sued Mickey for claiming damages for the injuries suffered.

In light of the above facts, determine:

- a) Whether Mickey was at fault for placing spring guns in his garden?

(2.5 Marks)

- b) Whether Minnie can claim compensation from Mickey for the injuries suffered by her?

(2.5 Marks)

4. Rain and Summer jointly damaged Winter's car due to personal vengeance. Winter sued Rain for claiming damages and the court granted the same.

In light of the above facts, determine:

- a) Whether Winter could sue Rain excluding Summer?

(2.5 Marks)

- b) Whether Rain can sue Summer for contribution?

(2.5 Marks)

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Second Year, Third Semester, Mid Semester (Odd-Semester) Examinations, November 2021
ECONOMICS - II (Indian Economy)

Time: 2 Hours

Maximum Marks: 20

PART – A (2 X 5= 10 Marks)

Answer the Following Questions:

1. Calculate Consumer Price Index from the following information (Table 1). Assume $Q_i^0 = Q_i^1$ & Base year=2012

Table 1:

Item	Quantity Q_i^0	Price in 2012 P_i^0	Expenditure in 2012 $P_i^0 Q_i^0$	Price in 2021	Expenditure in 2021 $P_i^1 Q_i^1$
Rice	25 kg	₹ 5/kg		₹ 10/kg	
Pulses	5 kg	₹ 10/kg		₹ 25/kg	
Clothing	5 m	₹ 20/m		₹ 50/m	
Housing	1 room set	₹ 500 per one room set		₹ 800	

2. Table 2 presents growth in real GDP for Country A and Country B. For each country find:
- Relative increase in output between 2000 and 2020.
 - Output per capita for 2000 and 2020.
 - Relative increase in output per capita between 2000 and 2020.
 - Which measure of economic growth, as calculated in a. or c., is more useful?

Table 2:

Particulars	2000	2020
Country A		
Real GDP	₹ 6500000000	₹ 13000000000
Population	166000	224000
Country B		
Real GDP	₹ 528614000	₹ 1295100000
Population	135000	270000

PART – A (1 X 10 =10 Marks)

Answer the Following Questions:

3. Use aggregate demand and aggregate supply curves AD and AS (Figure shown below) to answer the following questions:
- Is the aggregate supply curve Keynesian or classical?
 - Find the economy's equilibrium level of output and price level.
 - Does an increase in government spending, *ceteris paribus*, shift aggregate demand or aggregate supply? What happens to equilibrium output and the price level?
 - Suppose there is a technological advance rather than an increase in government spending. What happens to aggregate demand? Aggregate supply? Equilibrium output? The price level?

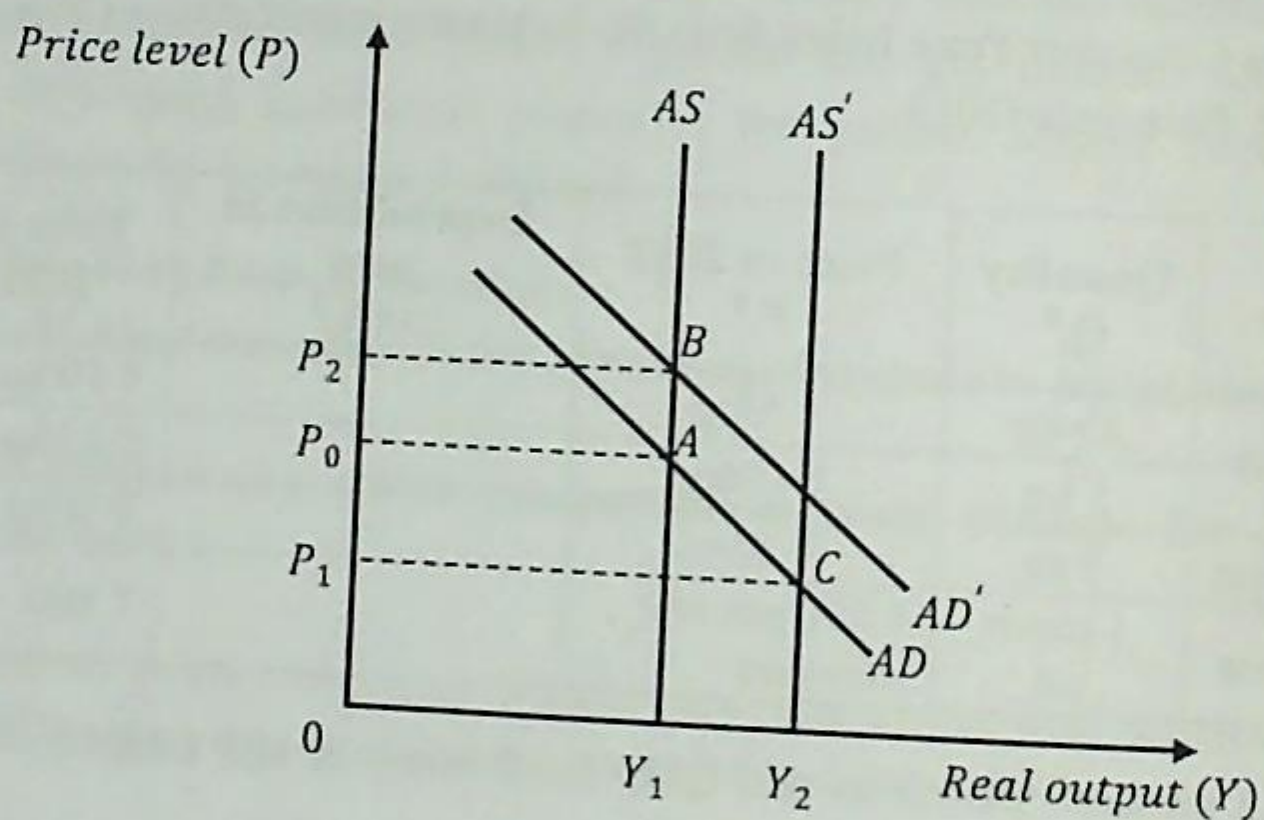


Figure 1

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B.Com. LL.B. (Hons) Degree Programme

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LEGAL HISTORY

Time: 2 Hours

Maximum Marks: 20

PART – A (5 x 4= 20 Marks)

Answer the Following Questions: C

1. In the very initial periods, it is viewed that legal history did not have any value with regard to legal education, since the purpose of legal education is to train competent and proficient future lawyer and judges. Legal history appears almost antithetical to this purpose. It does not concentrate the practical and technical skills needed to be a lawyer. Whether this perception changed today or still continues to dominate in the legal education? Support you views with relevant literatures and references.
2. Though the British Crown was not directly connected to Indian subcontinent, issued a number of Charters to regulate the judicial administration under the Company. Analyse the motivation behind the initiatives.
3. There was the power struggle between the Supreme Court of Calcutta and the executive under the company government in Bengal. Do you think that the undefined jurisdiction of the Supreme Court was the major reason for this power struggle? Support your answer with examples.
4. The English East India Company did not pay much attention to develop the judicial systems of the Madras and Bombay Presidencies with that of the Bengal Presidency. Critically examine.
5. "Cornwallis Code was the honest attempt to establish the rule of law in India". Support the statement by analysing the relevant literature.

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POLITICAL SCIENCE - III (International Relations)

Time: 2 Hours

Maximum Marks: 20

PART – A (2 X 10= 20 Marks)

Answer the following Questions. Each Answer should not be less than 400 Words.

1. "The very fact that international society affords so few examples of non-resistance to the exercise of power and that power plays such an important role in that society indicates that opposition tends to predominate over cooperative international behaviour. Oppositional behaviour, conflict, and politics do not entirely crowd cooperation off the international stage; international relations and international politics are not synonymous"- Analyze the statement in the light of examples from International Politics.
2. "The temptation, or yielding to temptation, to employ force as an instrument of national policy will be deterred or frustrated by the overwhelming power of the 'peace-loving members' acting on behalf of the security community to protect the innocent. That is not war, but police action, similar to law enforcement within an orderly domestic society"- Critically analyse the statement with an example.

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FINANCIAL SERVICES AND MARKETS

Time: 2 Hours

Maximum Marks: 20

PART – A (4 x 5 = 20 Marks)

Answer the Following Questions

1. The Trading Procedure on Stock Exchange has been replaced by on-line screen based electronic trading system. This is mainly done to eliminate problems like theft, fake/forged transfers, transfer delays and paper work associated with share certificates or debentures in physical form. This is a process where securities held by the investor in the physical form are cancelled and the investor is given an electronic entry or number so that he/she can hold it as an electronic balance in an account. This has increased the equity cult among the people.
 - (a) Identify and state the process mentioned above.
 - (b) What is the most important requirement for the process identified in (a)?
 - (c) State any two values which you think have enhanced the equity culture in the society.
2. The directors of a company want to modernize its plant and machinery by making a public issue of shares. They wish to approach the stock exchange, while the finance manager prefers to approach a consultant for the new public issue of shares.
 - (a) Advise the directors whether to approach the stock exchange or a consultant for new public issue of shares and why.
 - (b) Also advise them about different methods which the company may adopt for the new public issue of shares.
3. Good Technologies Ltd., is one of the top suppliers of security software products and solutions in India with a market share of over 20% in the retail segment. Its

customers include people all sections of the society i.e. both households and corporates. Its unique threat detection system works to detect security threats including virus attacks in real time to protect users' IT assets across varied platforms and devices. The company has an established track record of growth and financial performance. At present the company operates only through its website. The company now intends to launch a range of computer accessories and plans to market it by opening its own retail outlets. So, the board of directors of the company have decided to only raise capital for the first time through an issue of shares, but at the same time they do not wish to get into the hassles of launching a public issue of shares. In context of the above case:

- (a) Name and explain the way through which the company can raise finance by allotting securities to selective individuals and institutions only.
 - (b) Can the company also raise capital through a right issue? Why or why not? Give a reason to justify your answer.
4. Critically evaluate the contribution of credit rating system in Indian economy.
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LAW OF CONTRACTS - II

Time: 2 Hours

Maximum Marks: 20

PART – A (4 x 5 = 20 Marks)

1. SK Electricals Ltd. took on lease a building owned by Ramanadan to start its new showroom. Lease term is one year but it can be terminated by a three months' notice prior to the expiry of term. Quality Lights Ltd., a competitor of SK Electricals Ltd., found the location of the building of Ramanadan is suitable for its business. Quality Lights Ltd. issued a letter to SK Electricals Ltd. asking to vacate the building within three months, on behalf of Ramanadan, without authorization. Later, Ramanadan ratified the conduct of Quality Lights Ltd. Whether the ratification by Ramanadan is binding? Decide
2. *"It is true that under English Common Law no action could be maintained until actual loss has incurred. It is clear that this might under certain circumstances throw an intolerable burden upon the indemnity-holder."* – Critically comment this statement in the light of the step taken by the Court of Equity in protecting the rights of an indemnity holder, also examine the stand of Indian courts on this matter with relevant case laws.
3. Faridah arranged certain jewels to make a necklace by Pure Gold Jewelry Shop. Faridah goes and sits with the Gold Smith of Pure Gold Jewelry Shop every day at the time of making necklace. Pure Gold Jewelry Shop has given her a locker in their shop to keep the half-made necklace. The key to the locker is given to Faridah. Every morning, she comes to shop, open the locker and give the half made necklace to the Gold Smith and in the evening she receives back and keeps it inside the locker.

One day when she came to the shop, it is found that the locker was left open and the jewels were lost. Faridah sued against the Gold Smith and Pure Gold Jewelry Shop alleging that they failed in their duty of reasonable care for the properties kept with them.

Suppose the Pure Gold Jewelry Shop is appointing you as their lawyer. How will you defend the case for Pure Gold Jewelry Shop?

4. *"When one surety has paid any part of the debt, he shall have a right to call on his co-surety or co-sureties to bear a proportion of the burden, or, when he has paid more than his share, he shall have a right to be reimbursed whatever he has paid beyond it"* – Critically evaluate the liability of co-sureties under the Indian Contract Act with decided case laws.
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TAMIL NADU NATIONAL LAW UNIVERSITY, TIRUCHIRAPPALLI
B.A. LL.B. (Hons) and B.Com. LL.B. (Hons) Degree Programme

Second Year, Third Semester, Mid Semester (Odd-Semester) Examinations, November 2021

FAMILY LAW -II

Time: 2 Hours

Maximum Marks: 20

PART – A (2 X 10= 20 Marks)

Answer the Following Questions

1. Mr. Q is a Sunni Muslim. Since Mr. Q was the richest in his family, there were a lot of discussion regarding his property and his will. One of the consanguine sister Ms. R, had a good relationship with Mr. Q and expected that he would make her as a legatee, which Mr. Q was not interested about. This agitated Ms. R and was one of the reasons for the family dispute for property. Few days later, Ms. R accidentally caused the death of Mr. Q. He died intestate leaving behind his Father (Mr. F), Mother (Mrs. M), Full brother (Mr. FB), two consanguine sisters (Ms. C and Ms. R respectively) and one daughter (Ms. D). The dispute in the family further increased when some of the relatives of Mr. Q believed that Ms. R was the reason for the death of Mr. Q and hence, she cannot have any of his property.

a) *As an advocate, clarify the amount of share of each of the heirs of Mr. Q upon his death. Also, clarify the ambiguity on the share of property that Ms. R shall receive.*

b) *What happens in the same situation if Mr. Q was a Shia Muslim?*

2. a) Critically comment on the *ownership of Wakf Property*. To whom is the ownership vested?

b) The objective of Wakf (especially Public Wakf) is highly appreciable in a country like India with various marginalized groups. In this context, how do you view various mismanagement in the property of Wakf by Mutawallis or any other authorities?

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Second Year, Third Semester, Mid Semester (Odd-Semester) Examinations, November 2021

LAW OF CRIMES – I (Indian Penal Code)

Time: 2 Hours

Maximum Marks: 20

PART – A (2 x 10 = 20 Marks)

Answer the following questions with your own words. Each question should be between 800-1000 words.

1. Natu aged 46 years, is the resident of Saraipali village. As the rainy season started, he had sent 15 labourers to work on his field. On 10th October 2021 at noon, Birju aged 43 who had some dispute with Natu sent a party consisting of 5 people who assembled near the field with illegal guns. They asked the labourers to stop the work without showing any violence. When Natu came to know about this, he objected. Upon his objection, three accused Jagu, Radhe and Sinu directed Babu and Ramu to kill the labourers and by their direction, they both fired at the labourers which resulted in the grievous hurt of 9 among them died in consequence of that.

Discuss the criminal liabilities of each of the 6 parties i.e. Birju, Jagu, Radhe and Sinu, Babu, and Ramu involved in this criminal act with the help of decided cases and legal principles.

2. Mr. Bali and Ayebiga got married in the year 2018. Post marriage, Ayebiga started living with Mr. Bali and his mother. Within six months of marriage, Mr. Bali and his mother started physically and mentally torturing Ayebiga. After facing constant abuse over a period of three years, Ayebiga was found dead in her matrimonial house, on 10th October, 2021. The post-mortem report revealed that it was an unnatural death due to consumption of poison. On further investigation, it was found that on the day of the fatal incident, Ayebiga had a fight with her husband and mother-in-law. Neighbours complained of hearing heated altercation and Ayebiga crying. Mr. Bali and his mother were arrested by the police and Mr. Bali confessed before the judicial

magistrate that he had requested his mother to procure poison and hand it over to Ayebiga when she was in a vulnerable state. After the heated altercation on 10th October 2021, Mr. Bali's mother provoked Ayebiga saying "If you have an ounce of shame, consume this and die" and handed over the poison to her. Ayebiga consumed the same and committed suicide.

In light of the above facts, determine whether Mr. Bali and his mother have committed any crime? Answer with the help of legal provisions and relevant case laws.

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Third Year, Fifth Semester, Mid Semester (Odd-Semester) Examinations, September 2021

HISTORY – III (Legal History of Tamil Nadu)

Time: 2 Hours

Maximum Marks: 20

PART – A (4 x 5 = 20 Marks)

Answer all the questions:

1. When, why and by whom was the study of South Indian History introduced? Justify your answer through the writings of South Indian Historians.
2. *Mandram* and *Pothu Ill* were not organised on a scientific basis but it was a court of justice without fear or favour during the *Sangam* Age. Present your answer by comparing with the present judicial system.
3. Do you agree that the selection and qualification of *Antharar* and the types of evidences during the *Sangam* Age were much superior to the present century? Explain with examples.
4. Judicial system was administered in a rough and ready manner by the local authorities of later Pandyan kingdom. Do you agree? Analyse the statement referring to available sources.

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Third Year, Fifth Semester, Mid Semester (Odd-Semester) Examinations, September 2021

CORPORATE ACCOUNTING

Time: 2 Hours

Maximum Marks: 20

PART – A (2 x 10 = 20 Marks)

1. A limited company issued a prospectus inviting applications for 8,000 shares of Rs.10 each at a premium of Rs.2 per share payable as follows: **(10 Marks)**

On application Rs.2 per share; On allotment of Rs.5 per share (including premium); On 1st call Rs.3 per share; On 2nd call Rs.2 per share.

Applications were received for 12,000 shares and allotment was made pro rata to the applicants of 9,600 shares, the remaining applications were refused. Moneys overpaid on applications were employed on account of sums due on allotment.

Mr. Ram to whom 160 shares were allotted, (Assume he applied for 160 shares) failed to pay the allotment money and on his subsequent failure to pay the first call, his shares forfeited. Mr. Krishna, the holder of 240 shares, failed to pay two calls, and his shares were forfeited after the second call.

Of the shares forfeited, 320 shares were sold to Mr. Guru credited as fully paid for Rs.9 per share, the whole of Mr. Ram shares being included.

Show Journal and prepare important ledger accounts.

2. (a) Blue star Ltd. issued 10,000/- 8% Debentures at the rate of Rs.100 each. The nominal value of the debentures shall be collected as follows:

(5 Marks)

- (i) From the general public Rs.5,00,000/- at 110% of nominal value of Debentures
- (ii) From a vendor for purchase of fixed assets worth Rs. 2,00,000/- - Rs.2,50,000/- nominal value.

- (iii) From the banker as collateral security for a loan of Rs.2,00,000 – Rs.2,50,000 nominal value.

Pass necessary journal entries.

- (b) Royal & Co. is an unlisted company (manufacturing) that has issued 8% Debentures for Rs.10,00,000/-redeemable after 5years.The company has not maintained Debenture Redemption Reserve as per Companies (Amendment) Act 2019. What are your suggestions to the company on maintaining of Debenture Redemption Reserve? **(5 Marks)**
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CORPORATE LAWS - I

Time: 2 Hours

Maximum Marks: 20

PART – A (2 x 10 = 20 Marks)

Answer the Following Questions:

1. Ms Kadambari starts a Belt manufacturing business on her own at Kumbakonam town in 1996. She builds her business after a decade of hardships. In 2007 she plans to expand her business by building a huge manufacturing plant which requires investments. She conducts preliminary research and understands that converting her business into a company will let her attract more investments. But in her attempts to read into the law, she realises that she will not be able to call all the shots in the company. Now, In February 2008, she approaches you seeking advice with the following questions.

- a. Is it possible to start a company to attract investments and still retain her complete control over it, if so, how? (5 Marks)
- b. What are the advantages and disadvantages of a Company over a Sole Proprietorship? (5 Marks)

Answer the above questions with relevant provisions of law.

2. In the middle of the 19th Century, Limited Liability as a concept was mooted as it was on the lines of gambling. But today the Limited Liability has become a vital player in global economic development. Draw a critical analysis of the concept of Limited liability by tracing the evolution of it in England and in India.

LABL1-21

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LABOUR LAW - I

Time: 2 Hours

Maximum Marks: 20

PART – A (20 Marks)

Answer the Following Questions:

1. The Constitution of India is the touchstone for any Act passed in our country. Each and every Act concerned with the labour laws in India which were in force before the enactment of our Constitution were either amended or nullified after its enforcement. Our Constitution is inspired by the vision of inclusive social and economic justice and is committed to the cause of upliftment of the working class.

Considering the above statements and our Constitutional aspiration, examine the evolution of labour jurisprudence in this background and analyze the role of the State in achieving socio-economic justice for the working class in the present globalised world? You may cite relevant case laws and examples to support your opinion.

(7 Marks)

2. 'The trade union movement in India can be distinctively studied through six phases, namely: Pre -1918;1918-24;1925-34;1935-38;1939-46; and since 1947. The trade union movement in India has been largely divided along political lines and follows a pre-Independence pattern of overlapping interactions between political parties and unions. The net result of this type of system is debated as it has both advantages and disadvantages. Considering the above statement, critically analyse the ideologies and the role of prominent labour leaders and the challenges faced by trade unions in the first five of the above mentioned phases (that is until 1946).

(7 Marks)

3. With reference to the above, the last phase is considered as the phase of the real modern trade unionism in India, where a large number of organized and continuous labour struggles have been noted to have taken place. It further witnessed long and

arduous struggles by the trade unions to strongly assert their democratic rights. As per data released for 2012, there were 16,154 trade unions which had a combined membership of 9.18 million (based on returns from 15 States – out of a total of 28 States and 9 Union Territories).

Considering the above statement, examine critically the contribution of modern trade unionism in India from 1947 to present times. Support your answers with relevant examples and important enactments/amendments in various labour laws.

(6 Marks)

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PUBLIC INTERNATIONAL LAW

Time: 2 Hours

Maximum Marks: 20

PART – A (2 x 10 = 20 Marks)

Answer the Following Questions:

Instructions:

- Answers should not be less than 500 words
- Relevant Provisions from International Legal documents and decided cases can be cited

1. Article 26 of the Vienna Convention on Law of Treaties (hereinafter referred to as VCLT) highlights the principle, '*pactasuntservanda*' But, the next provision i.e., Article 27 read with 46 of the VCLT can lead to the conclusion that, the States can excuse themselves from the liability to fulfill its treaty obligation in good faith. Article 46 is a loosely worded provision which can eventually lead the States to interpret the provision according to their convenience. Justify or criticize this proposition by providing special emphasis on the following ambiguous and uncertain words listed below (as seen in Art 46),

- | | |
|-------------------------------------------|-----------|
| a) Manifest violation | (2 Marks) |
| b) Internal law of fundamental importance | (2 Marks) |
| c) Objective evidence | (2 Marks) |
| d) Normal practice | (2 Marks) |
| e) Good faith | (2 Marks) |

2. The United Nations General Assembly through its resolution No: 1653 dated 24th November 1961 has prohibited the use of nuclear and thermo-nuclear weapons. States are of the opinion that, the customary international law expressly prohibits these weapons of mass destruction. On the other hand, certain other States mention the fact

that the weapons can be developed under the principles of self-defense. With this background, analyze the following, from the lens of Article 38, Statute of ICJ,

- a) The International Conventions relating to Nuclear weapons **(2.5 Marks)**
 - b) International Customs in relation to use, manufacture of nuclear weapons **(2.5 Marks)**
 - c) General principles of law with reference to nuclear weapons **(2.5 Marks)**
 - d) Judicial decisions with regard to nuclear weapons **(2.5 Marks)**
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LAW OF EVIDENCE

Time: 2 Hours

Maximum Marks: 20

PART – A (4 x 5 = 20 Marks)

Answer the Following Questions:

1. Dhiva, a little boy went missing and an FIR was registered by his parents. Shaalu, a neighbour girl of Dhiva was seen playing with him when the kidnap happened. Shaalu stated that three people forcibly took him in a car. Out of three, she identified one person was wearing a security uniform. CCTV footage also confirmed the same. Upon investigation, it was found that the kidnap was intentional as a series of similar occurrences reported in the same area for the past month. Two security guards were arrested for conspiracy and they pleaded not guilty. Later, the dead body of the victim was found suggesting brutal torture. As a public prosecutor, protect the State in convicting the accused by having the relevancy of facts and rules of the Indian Evidence Act in mind.
2. Mr. Anjuvan was a well-trained murderer who proved efficient in leaving no trace at the crime scene. Anjuvan raped and murdered a woman and the body was chopped to be disposed of. Later, Anjuvan realised that his wallet was missing and by mistake, he kept the same in the deceased's handbag. He immediately absconded the place after collecting his wallet from the deceased's handbag. Police arrested him after significant efforts and upon investigation in the police custody, Anjuvan confessed his guilt. Police torture made him reveal the location of rape and weapons used for murder. As a result of the same, Police seized certain substantive material objects from the crime scene. Also, the cab driver, with whom the victim was travelling identified the place where they stayed together was also made admissible. As a defence counsel, argue for Mr Anjuvan interpreting the rules of evidence as provided under the Indian Evidence Act.

3. Mr. Kalidas is charged with the offence of theft under Section 379 of the Indian Penal Code. Mr. Sukladas said in the presence of Mr. Kalidas – “that the cops are on the lookout for the culprit and coming to the house today where the theft was committed” and that instantaneously Mr. Kalidas absconded from that place. Based on the investigation, the cops suspected Mr. Kalidas and arrested him. During the trial, the prosecution tries to prove his escape from the particular place and to which Mr. Kalidas takes the defence that he has not escaped but since he is having some other work in some other he left the place on the particular date. Decide in detail as to whether the attempt made by the prosecution and defence raised by Mr. Kalidas is relevant? Refer to the relevant provisions of the Indian Evidence Act, 1872.
4. In *Babu v. State of Kerala* (2010) 9 SCC 189, the Hon’ble SC observed, “Every accused is presumed to be innocent unless the guilt is proved. The presumption of innocence is a human right. However, subject to the statutory exceptions, the said principle forms the basis of criminal jurisprudence. For this purpose, the nature of the offence, its seriousness and gravity thereof have to be taken into consideration. The courts must be on guard to see that merely on the application of the presumption, the same may not lead to any injustice or mistaken conviction...., such a presumption can also be raised only when certain foundational facts are established by the prosecution. There may be difficulty in proving a negative fact”. It was also observed that “the statutory provision even for a presumption of guilt of the accused under a particular statute must meet the tests of reasonableness and liberty enshrined in Articles 14 and 21 of the Constitution”.

Having the above quotation in mind, comment on the statutory presumptions provided in the Indian Evidence Act.

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LAW OF DIRECT TAXATION

Time: 2 Hours

Maximum Marks: 20

PART – A (20 Marks)

Answer the following questions:

While answering the question relevant provisions of law, proper decided case laws and reasonable explanations are expected.

1. Baybook is a non-resident company and does Social Networking Service. It is having 200 crore users around the world and twenty crore users in India. It does not have any operating unit in any country other than USA and has registered office in USA. It fetched a revenue of Rs. 500/- crore from India for the previous year 2019-20. When the income tax authorities demanded tax for the income generated from India, Baybook authorities defended themselves stating that it does not have any physical presence or substantive presence in India. Moreover, it claims that it does not have any Significant Economic Presence in India. Its presence is only virtual which cannot be construed as physical presence and not liable to pay income tax for the income generated from India.

Moreover 6% EQUALISATION Levy is levied on the total amount received by the non-resident from India in the absence of physical presence In India under the Finance Act 2016.

Baybook defends that the EQUALISATION Levy is applicable only on the companies which are having their Place of Effective Management in India. Since it does not have the Place of Effective Management in India, it is not liable to pay EQUALISATION levy. Decide on all the issues.

(6 Marks)

2. XYZ Ltd., is a company registered in Mauritius. It deposited Rs.50 crores in the Mauritius bank for which it is receiving Rs. 2crores as interest every financial year.

During the previous year 2019-20, the company was having 1000 employees. 50 employees were in Mauritius. 500 employees were in India. 450 employees were

in Singapore where it has got another unit. Ten Board of Directors meetings were conducted. Out of that six meetings were conducted in India. The income of the company from India was Rs. 40 crores.

The company manufactures car spare parts in India. Income tax authorities claim that the company is a resident of India. Hence the company is liable to pay tax for the income generated from India and outside India. Moreover, the authorities claim that even if the company is a non-resident, income from India and Mauritius are connected with each other as having a business connection in India. Hence the income must be deemed to accrue or arise in India.

The company asserts that it is the Non-Resident of India and that the income cannot be deemed to accrue or arise in India.

Moreover the company pleads that for the business of manufacturing car in India is concerned, it pays GST and if it pays again income tax, it would amount to double taxation. Decide all the relevant issues. **(6 Marks)**

3. Mr. Xisan individual settled in South Africa. His great grandparents were citizens of India. X visited India on 15th December 2019. While he was about to leave India lockdown was declared due to pandemic on 21st March 2020. He left for South Africa only on 1st JULY 2020.

He is running a textile unit in South Africa. He imports cotton yarn from India for Rs. 5 crores. His income from the said business is Rs. One crore for the previous year 2019-20.

While he was in South Africa he served as a messenger for the Indian Embassy for which he received Rs. 4 lakhs as salary from the Govt. of India. He is also an expert mechanic in spinning machines. While in India he assembled a spinning machine for which he received Rs. 10 lakhs. Deciding that he was the resident of India, Income tax authorities charged him for the income within India and Outside India.

Mr. X contends that he is the non-resident of India. So he is not liable for the payment of income tax for the income outside India. Even if he is the non-resident of India, the above said income does not accrue or arise in India, hence not liable for taxation. Decide all the issues. **(8 Marks)**

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Fourth Year, Seventh Semester, Mid Semester (Odd-Semester) Examinations, September 2021

INTELLECTUAL PROPERTY LAW

Time: 2 Hours

Maximum Marks: 20

PART – A (20 Marks)**Answer the Following Questions:**

1. *The object of intellectual property is always abstract; it is not the concrete text, but it's content. To address how 'mental things' ought to be made the objects of ownership and law it is necessary to examine the philosophical origins of intellectual property. In this context, critically examine the concept of intellectual property and its basis in different philosophical theories and analyze which of those theories' features are reflected by today's intellectual property law. Do you agree with the statement that intellectual property law will always be a compromise between numerous different philosophical approaches and, indeed, ideas?*

(8 marks)

2. Determine the patent eligibility of the following inventions under the Indian Patent Act, 1970, and provide reasons therefor.

- a. A new cricket pitch where bowlers will not be able to bowl bouncers.
- b. A new combination of allopathy and ayurvedic treatment that makes use of known drugs to help patients recover from Covid-19 with minimal fatality rate.
- c. A new process for preparing nutrient fortified ayurvedic herb-based sweet called 'carrot rasogolla' which is rich in vitamin A and improves memory.

(6 Marks) (Each sub-question carries 2 marks)

3. Tejas, a scientist invented a new material named 'Rubberised Asphalt Concrete' which is claimed as an alternative to conventional asphalt and concrete roads used for a public purpose. The claimed invention has high durability, lesser maintenance, and resistance to extreme weather. For the development of his invention, he conducted various trials and experiments in public. Finally, with the approval of the local municipality, he builds a public road with his new material and proven the difference. His invention was lauded by the public and he shared the specific nature of his invention in an interview with a reputed international television channel. Now he wishes to file a patent for his invention before the Indian Patent Office and seeks your legal opinion on the issue of want of novelty. Advise.

(6 marks)

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INTERPRETATION OF STATUTES

Time: 2 Hours

Maximum Marks: 20

PART – A (2 x 10 = 20 Marks)

Answer the Following Questions:

1. Why 'interpretation' and 'construction' are considered a process? What subsists in the process? Also, expound on the objectives of interpretation and the factors influencing judicial interpretation. (10 marks)

2. Write short notes on the following: (5 marks)
 - a. Can the constitutional courts issue a *writ* to the appropriate delegatee to bring the Act into force if (a) the delegatee had not issued a notification as per the statutory guidance supplied by the Legislature, and (b) on account of delay in issuance of such notification? Comment with reasons.

 - b. Do you agree that the expression "Code" may refer to either a 'codification of statutes' or an 'Act'? Comment.

3. Mr. Maggie, a student of a residential university regularly feeds a street dog that he met called 'Molly'. Molly used to sleep under a tree next to the entrance gate of the hostel where Maggie stayed. One day, Molly entered the premises of the hostel searching for Maggie and consequently, the fellow residents of Maggie suffered moments of stress and shock. Can Maggie be held liable under the Domestic Animals Act, 2021 (See ANNEXURE)? Decide with reasons. Also, explain the process of interpretation you would be following as a presiding officer in the present case. (5 marks)

ANNEXURE

The Control of Domestic Animals to Prevent Injuries to Children and Vulnerable Citizens Act, 2021

Sec.1 This Act may be called the Domestic Animals Act, 2021

Sec. 2 Interpretation

In this Act, unless the contrary intention appears

(a). 'Domestic Animal' means dog, cat, ferret, mouse, pig, horse or other pet

(b) 'Owner' includes registered owner/any person in possession of the domestic animal, where a minor is in possession of a domestic animal, the parents or guardians of the minor will be deemed to be the owner

(c) 'Retrained' means chained or secured on a lead or attached to an affixed object

(d) 'registered owner' means the adult person who had registered the domestic animal

Sec. 3 All domestic animals shall be registered and controlled by the owners

Sec.4 The owner of the domestic animal in a metropolitan area shall restrain the domestic animal at all times

Sec.5 Offences and Penalties

The jurisdictional magistrate shall take cognisance of the offences under this Act.

(a) Any person in possession of an unregistered animal shall be guilty of an offence under this section and shall be liable to pay a fine of Rs. 50,000

(b) Any violation of Sections 3 & 4 shall be punishable with a penalty of Rs. 50,000

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CYBER LAW

Time: 2 Hours

Maximum Marks: 20

PART – A (2 x 10 = 20 Marks)

Answer the Following Questions:

1. Aami, a 12-year-old Indian girl is a victim of neglectful parenting and hence she likes to play varieties of online games and loves her 'Zulu' (hologram) which was presented for her birthday. Added to it, no gadgets at her home have 'parental control'. Notably, she likes 'Zumangi' which is an online game that requires a lot of personal information as a part of their privacy and data policy. On a fine day, the little girl was found dead on her bed. Upon investigation, it was found through the hologram recordings that she was in depression. Cyber police said the online game has intimidated her to commit suicide and her parents sued the CEO of 'Zumangi', Mr. Scott (from Switzerland) for allegedly abetting the child's suicide with the use of her online personal data. The gaming platform defended that Aami had violated the '18 years age restriction' mentioned in the privacy and data policy of the company. Hence, they denied both the offline and online (cybercrime) that happened. When the cyber police approached the Indian office of 'ZULU hologram', access to recordings was denied. CERT-IN has also issued a notification stating the rise in crimes through misuse of data in Indian gaming applications.

As a cyber law counsel,

- a. Advise both the parties having jurisdictional theories, IT Act & Rules in mind. Elucidate with statutory principles and case laws. (5 marks)
 - b. Interpret the current Indian scenario of data protection laws. (5 marks)
2. 'Ali' and 'George' are two little robots who assist 'Shiv' in both offline and online activities. Shiv utilised his technical skills and hacked the internal servers of various leading IT companies followed by 'ransomware attacks'. Apart from

monetary benefits through ransomware attacks, the perpetrator also downloaded the 'Profile Pictures' of the employees. The pictures are cropped and morphed to be used in porn websites. Despite following all the cyber security features, the IT company was hacked and a complaint is registered with CERT-IN. In due course of time, victims across India filed 'Photo Morphing' complaints with Cyber Crime Cells in various districts. Cyber Police soon targeted the perpetrator and arrested him along with his two robots (co-conspirators and co-accused).

- a. Analyse the cyber civil litigation and human rights components in the above-mentioned case. (5 marks)
 - b. Applying the principles provided in the Information Technology Act, identify and comment on the effectiveness of the cybercrime sections with case laws. (5 marks)
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BANKING LAW

Time: 2 Hours

Maximum Marks: 20

PART – A (2 x 10 = 20 Marks)

Answer the Following Questions:

1. There are several aspects that banking regulation is not intended to accomplish. First, preventing the failure of individual banks is not a primary focus of banking regulation, subject to the condition that depositors are protected and adequate banking services are maintained. Second, bank regulation should not substitute banker's decisions in operating a bank by government decisions. Finally, banking regulation should not favour certain groups over others. Banks also should not be protected from competition from other institutions. Comment on the above aspects of the banking regulations and explain with reasons whether you agree or disagree with them.
2. The Banking Regulation (Amendment) Bill seeks to improve governance by extending powers already available with the RBI, in respect of other banks to co-operative banks as well. In light of the problems plaguing the cooperative banks, will bringing cooperative banks under the RBI's ambit make any difference? Answer with the help of illustrations from the history of cooperative banks in India.

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COMPETITION LAW

Time: 2 Hours

Maximum Marks: 20

Instructions:

- The problem based questions should be preferably answered in the *IRAC Method* by quoting relevant judicial precedents and legal provisions.
- All the questions should be answered by quoting at least two relevant precedents and/or illustrations.
- All questions are compulsory. You are strictly directed to follow the Question Number as given in the Question Paper.

PART – A (20 Marks)

Answer the Following Questions:

1. 'Mr. A' had engaged legal services of 'Ms. B', an advocate practising before the Madurai Bench of Madras High Court. 'Mr. A' later alleged professional incompetency and negligence on the part of 'Ms. B' and filed a consumer complaint against her at the *District Consumer Forum*. The Forum directed the advocate to pay 'Mr. A' a sum of Rs. 9,999/- as compensation for mental agony and harassment.

'Ms. B' challenged this order at the *State Consumer Disputes Redressal Commission*, which overruled the District Forum's order on the ground that 'Mr. A' is not a consumer and a complaint against an advocate is not maintainable before the Consumer Forums, in view of the provisions of the *Consumer Protection Act, 2019*.

In 'Mr. A's appeal against this order before the *National Commission*, it was held that the reasoning given by the State Commission was outdated and erroneous. The National Commission further stated that the *Consumer Act* was wide enough to cover the range of services rendered by professionals like doctors, professors, lawyers etc. It also increased the compensation amount to Rs. 19,999/-.

- 1.1. The verdict from the National Commission is now challenged by 'Ms. B' as well as by the *Bar Council of India* (BCI) before the Supreme Court of India. BCI contends that the decision of the National Commission would amount to encroachment of BCI and other State Bar Councils authority to deal with complaints against advocates under the *Advocates Act, 1961* and as such, Consumer Forums have no jurisdiction over advocates. Decide.
- 1.2. Further, 'Mr. A' also wants to file a complaint against 'Ms. B' before the Competition Commission of India (CCI). Advise 'Mr. A' regarding the possibility of getting a remedy from the CCI for the above set of facts.
- (10 Marks)
2. Mention one provision each from the *Competition Act, 2002* for quasi-legislative, quasi-executive and quasi-judicial powers of the Competition Commission of India (CCI) and explain about the quasi- legislative powers of CCI?
- (5 Marks)
3. "A man is entitled to exercise any lawful trade or calling, as and where he wills. The law has always regarded jealously, any interference with trade, even at the risk of interference with freedom of contract, as it is public policy to oppose all restraints up on liberty of individual action which are injurious to the interests of the State. This is the reason why freedom of trade and commerce is considered as a fundamental right in India." Critically analyse this statement by elucidating the relevant provisions from the *Indian Contract Act, 1872*, the *Constitution of India, 1950* and the *Competition Act, 2002*.
- (5 Marks)
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CFL-21

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TAMIL NADU NATIONAL LAW UNIVERSITY, TIRUCHIRAPPALLI
B.A. LL.B. (Hons) and B.Com. LL.B. (Hons) Degree Programme
Fourth Year, Seventh Semester, Mid Semester (Odd-Semester) Examinations, September 2021

CORPORATE FINANCE LAW

Time: 2 Hours

Maximum Marks: 20

PART – A (20 Marks)

Answer the Following Questions:

1. Navigation Tech (India) Limited (NTIL) was registered on 13.07.2009. As on 31.03.2021, the issued capital of NTIL is INR 70 crores. It had issued fully convertible debentures, at the option of company, worth INR 20 crores. Further, it had issued fully convertible debentures, at the option of investor, worth INR 5 crores. It has received a sum of INR 3 crores as the public deposit.

NTIL is planning to raise INR 100 crores during the 2021-2022 financial year. You are required to advice NTIL about the available options for raising this sum. Assume that NTIL is in compliance with relevant regulations.

Your answer should include reasons for recommending one or more of the available option to raise the finance. (7 marks)

2. Ms RentACab (RAC) is offering taxi services in the state of Tamil Nadu. It takes various models of vehicles from different persons for renting purposes. Usually, an agreement is entered into between the owner of the vehicle and RAC. The agreement stipulates, *inter alia*, that a fixed sum on monthly basis will be paid by RAC to the owner of the vehicle. For the duration of the agreement the vehicle is in the possession of RAC. As on 31.08.2021, RAC had over 700 vehicles roped into its business through such agreement. Services of RAC is offered in all metros and many major cities. About 300 persons have entered into such agreements with RAC. On 01.09.2021, SEBI received a complaint from one owner about non-payment by RAC of the fixed sum as per the agreement. Decide if the above referred to arrangement is in the nature of investment. (7 marks)

3. Critically comment on *IFCI Factors Limited v. Gangotri Iron Steel Co. Ltd. and Ors.* (date of the decision 13.12.2017) (6 marks)

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TAMIL NADU NATIONAL LAW UNIVERSITY, TIRUCHIRAPPALLI
B.A. LL.B. (Hons) and B.Com. LL.B. (Hons) Degree Programme
Fourth Year, Seventh Semester, Mid Semester Examination (Odd-Semester), September 2021

LAW AND SOCIAL TRANSFORMATION

Time: 2 Hours

Maximum Marks: 20

PART – A (4 x 5 = 20 Marks)

Answer the Following Questions:

1. *"Custom occupies an important place in regulation of human conduct in almost all the societies"* - Critically examine whether the interactions of law with local custom leads to social change with examples.
2. *"Socio-Legal Research or Study is an event where the science of law meets that the science of society"* - Evaluate the significance of Socio-Legal research with an example.
3. *"The government's prolonged attempt ever since independence to construct the 'backward classes' only reinforced the caste system"* - Critically analyse the statement in the light of social tensions built around affirmative actions in India.
4. *"Rita, who belonged to a Scheduled caste, was attacked by four men belonging to upper caste, she was subjected to gang rape while she was outside cutting grass in the Pathras district of North Vindia's Sattar Pradesh state. She suffered serious injuries and succumbed to injuries after 2 weeks of the incident."* – In the light of the facts critically comment on the caste dimension of gender-based violence.

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TAMIL NADU NATIONAL LAW UNIVERSITY, TIRUCHIRAPPALLI
B.A. LL.B. (Hons) and B.Com. LL.B. (Hons) Degree Programme
Fifth Year, Ninth Semester, Mid Semester (Odd-Semester) Examinations, September 2021

ADVANCED COURSE ON PATENT LAW

Time: 2 Hours

Maximum Marks: 20

PART – A (20 Marks)

1. a) Mr. A is a doctor who is well known for surgery. Based on his experience, he invented a process for the heart transplantation for animal and human being. He applied for the process patent of the heart transplantation. But, the Controller of patent rejected his application for process patent on the ground of violation of animal and human rights. Decide in detail as to whether the order of the controller is justifiable? Refer the relevant provisions of the Patent Act, 1970 along with the International convention in this regard. (6 marks)
- b) Mr. A, a foreigner invented a new product and he applied for the patent under the Patent Act, 1970 before the Controller of Patent in India. But, the Controller returns the application instructing him to make necessary amendments in the specification in accordance with provisions of the Patent Act, 1970. However, the applicant refuses to amend the specification citing that then there is a chances for stealing his invention in India and the controller accepts his application and grants the patent. Decide in detail as to whether the order passed by the controller is valid? Refer the relevant provision in this regard. (6 marks)
2. What is Standard Essential Patents (SEPs)? Encouraging the SEPs and Standard Setting Organisations (SSOs), will lead to the appreciable adverse effect on the market economy of the nation. Do you agree? Critically comment by quoting the relevant provisions under the Patent Act, 1970 and decided case laws, if any. (8 marks)

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TAMIL NADU NATIONAL LAW UNIVERSITY, TIRUCHIRAPPALLI
B.A. LL.B. (Hons) and B.Com. LL.B. (Hons) Degree Programme
Fifth Year, Ninth Semester, Mid Semester (Odd-Semester) Examinations, September 2021

COMPARATIVE CONSTITUTIONAL LAW

Time: 2 Hours

Maximum Marks: 20

PART – A (20 Marks)

Answer the Following Questions:

1. How would you evaluate the notions of 'constitutional designing', 'constitutional redesigning' and the theory and practice of 'constitutionalism' by employing the comparative methods? For this purpose, you could rely upon any three jurisdictions analyzed during the class lectures? (12 marks)
2. Write short notes on the following: (8 marks)
 - a. Social contract, feminism and the constitutional making
 - b. Sectarianism and constitutionalism

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TAMIL NADU NATIONAL LAW UNIVERSITY, TIRUCHIRAPPALLI
B.A. LL.B. (Hons) and B.Com. LL.B. (Hons) Degree Programme
Fifth Year, Ninth Semester, Mid Semester (Odd-Semester) Examinations, September 2021
LAW ON SECURITIES

Time: 2 Hours

Maximum Marks: 20

PART – A (2 x 10 = 20 Marks)

Answer the Following Questions:

1. "Securities are actually instruments of Contracts and regulatory bodies are in a constant dilemma as to how much regulation is ideal regulation."

Critically analyse the above statement and draw your opinion on the effectiveness of current SEBI regulations governing the Indian Securities Market.

2. Mr. Kabilan is a retired Bank Manager and he plans to invest in Shares as he feels he has a lot of time to do a detailed analysis of the securities market in India. He visits the SEBI website to understand that there are not just Shares but there are a lot of other investment options. Now he is confused and approaches you with the following questions.

- Given his age and lack of knowledge in securities, should he go for Deposits in Bank or Investment in Securities? (3 Marks)
- Which is more beneficial for him to invest in Equity shares or Government Bonds? If so, why? (4 Marks)
- Should he invest in mutual funds or buy securities on his own? (3 Marks)

Answer the above-mentioned questions with relevant legal provisions and explanations.

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TAMIL NADU NATIONAL LAW UNIVERSITY, TIRUCHIRAPPALLI
B.A. LL.B. (Hons) and B.Com. LL.B. (Hons) Degree Programme
 Year Ninth Semester Mid-C

Time: 2 Hours

Maximum Marks: 20

1. In a letter dated 1st June 2021, the Director General of Food and Agriculture Organisation of the United Nations (FAO) officially communicated to the Registrar of International Court of Justice a decision taken by the FAO Conference to submit to the Court the following question:

“In view of the health and environmental effects, would the use of nuclear weapons by a State in war or other armed conflict be a breach of its obligations under international law including the FAO Constitution?”

Whether ICJ is bound to answer the question submitted by FAO? Decide analyzing the powers of the Court under the Statute of International Court of Justice?

(5 Marks)

2. Mande, the tribal people of Mauritania, is not more than 50,000 in number. In 1840, the then Government signed a treaty affirming the rights of the Mande, including their right to self-determination and the right to control tribal fisheries. Recently, the present Mauritania government introduced a Fisheries Act upholding fishing rights and interests for all regardless of the prior treaties. Due to the Fisheries Act the special rights and interest over tribal fisheries cannot be claimed by the Mande people. The Supreme Court of Mauritania held in favour of Mauritania government upon an application made by Mande.

The Representatives of Mande approached you for advice since they got exhausted the remedies available under the domestic laws. Decide.

(5 Marks)

3. Read the below excerpts from the UN Security Council Resolution 1272 (1999) on the situation in East Timor (10 Marks)

- a) Analyse the binding effect of the Security Council Resolution. Give your reasons
- b) Analyse the functions of Peace Keeping Operations of UN relating with the tasks of United Nations Transitional Administration in East Timor (UNTAET)?

EXCERPTS FROM THE RESOLUTION 1272 (1999)

Adopted by the Security Council at its 4057th meeting, on 25 October 1999

The Security Council,

Recalling its previous resolutions and the statements of its President on the situation in East Timor, ***

Recalling also the Agreement between Indonesia and Portugal on the question of East Timor of 5 May 1999 ***

Reiterating its welcome for the successful conduct of the popular consultation of the East Timorese people of 30 August 1999, and taking note of its outcome through which the East Timorese people expressed their clear wish to begin a process of transition under the authority of the United Nations towards independence, which it regards as an accurate reflection of the views of the East Timorese people,

Expressing its concern at reports indicating that systematic, widespread and flagrant violations of international humanitarian and human rights law have been committed in East Timor, stressing that persons committing such violations bear individual responsibility, and calling on all parties to cooperate with investigations into these reports,

Determining that the continuing situation in East Timor constitutes a threat to peace and security,

Acting under Chapter VII of the Charter of the United Nations,

1. Decides to establish, in accordance with the report of the SecretaryGeneral, a United Nations Transitional Administration in East Timor (UNTAET), which will be endowed with overall responsibility for the administration of East Timor and will be empowered to exercise all legislative and executive authority, including the administration of justice;

2. Decides also that the mandate of UNTAET shall consist of the following elements:

- (a) To provide security and maintain law and order throughout the territory of East Timor;
- (b) To establish an effective administration;
- (c) To assist in the development of civil and social services;
- (d) To ensure the coordination and delivery of humanitarian assistance, rehabilitation and development assistance;
- (e) To support capacity-building for self-government;
- (f) To assist in the establishment of conditions for sustainable development

4. Authorizes UNTAET to take all necessary measures to fulfil its mandate;

5. Recognizes that, in developing and performing its functions under its mandate, UNTAET will need to draw on the expertise and capacity of Member States, United Nations agencies and other international organizations, including the international financial institutions

8. Stresses the need for UNTAET to consult and cooperate closely with the East Timorese people in order to carry out its mandate effectively with a view to the development of local democratic institutions, including an independent East Timorese human rights institution, and the transfer to these institutions of its administrative and public service functions;

17. Decides to establish UNTAET for an initial period until 31 January 2001;

19. Decides to remain actively seized of the matter.

*** only relevant clauses of the resolution are given.

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TAMIL NADU NATIONAL LAW UNIVERSITY, TIRUCHIRAPPALLI
B.A. LL.B. (Hons) and B.Com. LL.B. (Hons) Degree Programme
Mid Semester (Odd-Semester) Examinations, September 2021
INTERNATIONAL TRADE LAW

Time: 2 Hours

Maximum Marks: 20

PART – A (2 X 10 = 20 Marks)

Answer the following questions:

1. The theory of Mercantilism facilitates international trade only with the recognised tariff trade barriers and any non-tariff trade barriers influenced by the political alliances of the Country are unsustainable. Do you agree? Evaluate this statement referring to the elements of tariff and non-tariff trade barriers in international trade also give suitable examples. (6 Marks)

2. *The Most Favour Nation (MFN) Clause provides that any advantage, favour, privilege or immunity granted by a Contracting Parties to a product originating in or destined for another country shall be accorded immediately and unconditionally to the like products of all other contracting parties. Critically examine this statement referring to the General Agreement on Tariff and Trade (GATT) reflecting MFN and exceptions to MFN clause.* (8 Marks)

3. *The Uruguay Round of Trade negotiations aims at facilitating the integrated trade in Services, Intellectual Property Rights and International Investments also require an institution for the administration, dispute resolution and implementation of the objectives of the World Trade Organisation. Critically evaluate this statement referring to the contribution of the developing countries in trade facilitation amongst the contracting parties to the WTO.* (6 Marks)

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TAMIL NADU NATIONAL LAW UNIVERSITY, TIRUCHIRAPPALLI
B.A. LL.B. (Hons) and B.Com. LL.B. (Hons) Degree Programme
Mid Semester (Odd-Semester) Examinations, September 2021
LAW OF INDIRECT TAXATION

Time: 2 Hours

Maximum Marks: 20

PART – A (20 Marks)

Answer the following questions:

While answering the question relevant provisions of law, proper decided case laws and reasonable explanations are expected.

1. a) *“Taxable event is the important part of any tax legislation”-Explain.*

(4 Marks)

- b) Mr. Ryaht was purchasing syringes and needles in bulk from the open market and such syringes and needles were sterilized and then one syringe and one needle in an unassembled form were put in a printed plastic pouch.

The Department contended that sterilization brings about a change in the character of the product. The new product becomes disposable syringes and needles. From the point of view of a medical professional, it is only after sterilization that such goods are considered fit for use. Thus a new commercial commodity coming into existence. In fact once sterilized, the identity of an ordinary syringe and needle ceases to exist.

Assesse contends that the syringe has not been converted into another product. Analyse all the issues.

(4 Marks)

2. ADD Co. Ltd., is a biscuit manufacturing company. It is a holding company. BDD Co. Ltd., is the subsidiary of ADD Co. Ltd. ADD Co. Ltd., sold 90% of its biscuits to a wholesaler called A. The remaining 10% was transferred to the subsidiary company BDD Co. Ltd., ADD Co. Ltd., sold the biscuits in wholesale for Rs. 100/- per ten packets whereas it sold the same item to BDD Co. Ltd., for Rs. 50/-. The total sale to the subsidiary came to around Rs. One crore.

There was no prior arrangement between ADD Co. Ltd., and BDD Co. Ltd., regarding this sale.

The excise authorities contend that since ADD Co. Ltd., and BDD Co. Ltd., are related persons, biscuits were sold at a lower price than the price at which it was sold to the wholesale dealer. The arm's length price is Rs.100/-per kg and accordingly liable for levy of tax. The excise authority contends that ADD Co. Ltd., and BDD CO. Ltd., are related persons. ADD Co. Ltd., contends that since there is no prior arrangement between the two Cos., the question of arm's length price does not arise between them. Moreover ADD Co., contended that the biscuits are not sold generally to the subsidiary Co. The question of arm's length price does not therefore arise. Decide all the issues.

(6 Marks)

3. RAM\$CO is a company registered under the Indian Companies Act. It is having its registered office and factory at Bangalore in the State of Karnataka. The Co., manufactures soap. One of the main ingredients for the manufacture of soap is sandal wood. Sandalwood is periodically sold in auctions by the District Forest Officer Sathyamangalam in Salem District Tamil Nadu.

Periodically the District Forest Officer, used to issue sale notice for auction sale of sandalwood which was published in the District Gazette. The sale is subject to sales tax being paid whereupon delivery is affected.

The representative of the company participated in such auctions. Accordingly, the company bid in the auction sales. The bid consideration was Rs. One crore. The company after securing the confirmation of the sale from the District Forest Officer, Sathyamangalam, obtained the transit pass. The transit pass contains the following information:

It authorises the entry of the sandalwood into the State of Karnataka indicating that the sandalwood is brought in the name of the company.

It contains the quantity, marks, the mode of conveyance, the time, authorised route of transport.

The company states that the moment the sale is confirmed, transit pass is issued by the District Forest Officer, for onward movement to Karnataka. Further it states that Transit pass was also issued by both Karnataka and Tamil Nadu.

The company further states that since the designated route to Bangalore within a specified time was given in the transit pass and since the company routinely was doing this, it neither contemplates, nor effects diversion of the goods purchased for consumption in any other destination.

The company further alleges that being a manufacturer of soap and detergents in the State of Karnataka, it purchases the sandalwood solely for the purpose of consumption in its factory at Bangalore.

The company further states in the above circumstances the purchase of the sandalwood and its transportation into the State of Karnataka are part and parcel of the same transaction and arise out only in the course of interstate trade or commerce.

The State of Tamil Nadu insists that it is a sale within the State of Tamil Nadu. Decide all the issues.

(6 Marks)

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REGULATION OF PROFESSIONAL SPORTS IN INDIA

Time: 2 Hours

Maximum Marks: 20

PART – A (20 Marks)

Answer the following questions:

1. **Facts:** Venkatesh is a football player of international fame. He plays for club Vellur United. During a football match for the club in a local league, he made a wrong tackle from behind in order to get the ball when the ball was close to the goal post. Because of this wrongful tackle the claimant suffered serious injuries and he could not play for next 14 months. It was found that the tackle was made in a reckless and dangerous manner not with malicious intent towards the plaintiff but in an excitable manner without thought of the consequence.

In the light of above facts, give opinion regarding the liability of Venkatesh, keeping in mind the principle of negligence, and standard of care.

The picture depicted below is to understand the facts of the case.



(7Marks)

2. **Facts:** Mr. Nilesh Chopra has won the Gold medal in the Olympics in Pole Vault. Many companies wanted to encash his popularity by getting endorsements of

their brand from him. A company name Sanskar dealing in the business of clothes entered into an agreement with Nilesh Chopra for 200 cores per annum. The agreement has conditions like that during the period of contract Mr. Nilesh Chopra will not wear the clothes of anycompetitor in public space while playing or practice the game and will not engage in any activity that will bring disrepute to the brand of the company. One day Mr. Nilesh Chopra was practicing in his private ground in his home town wearing the T Shirt of a rival company. After the practice session he gave an interview to a local Tabloid regarding his hobbies, interest and personal life. During the interview he said there was nothing wrong with a live in relationship.

Next day the interview was published in the Tabloid along with a picture in which he was wearing the T Shirt of the rival company. His opinion was widely criticised by different religious heads. The Company terminated the contract citing breach of the conditions of the Contract.

In the light of the above mentioned facts, give your opinion whether the company is rightful in terminating the Contract.

(7 Marks)

3. Ms Rajvi Taneja won the silver medal in the Tokyo Olympics in Women's wrestling. In order to encash her popularity many commercial companies made offers in her name and gave congratulatory messages on Public Platforms.

Ms Rajvi has approached you for better protection of her rights. What will be your advice to her and what action can she take against the companies who are using her name?

(6 Marks)

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TAMIL NADU NATIONAL LAW UNIVERSITY, TIRUCHIRAPPALLI
B.A. LL.B. (Hons) and B.Com. LL.B. (Hons) Degree Programme

Fifth Year, Ninth Semester and Fourth Year, Seventh Semester

Mid Semester Examination (Odd-Semester), September 2021

LAW AND PRACTICE OF SHAREHOLDERS AGREEMENTS

Time: 2 Hours

Maximum Marks: 20

PART – A (20 Marks)

Answer the following questions:

1. The following is an excerpt from the articles of the association of the RushabhInfosoft Ltd. (RIL)

Article 19 -

- (a) No transfer of shares shall be made or registered unless it be between the joint shareholders inter se without the previous sanction of the Directors who may in their absolute and unrestricted discretion without assigning any reason, decline to give any such sanction, subject to Section 111 of the Companies Act, 1956.
- (b) A member intending to sell any share or shares shall give notice of his intention to the Directors, who shall offer any such shares to all the members and may thereupon find one or more members willing to purchase the same. This shall be done within one month of receipt of such notice.
- (c) In case there is more than one purchaser, each shall be entitled to purchase the shares in proportion to their respective holding in the Company on the date of such notice.
- (d) The price payable for the purchase of shares, unless otherwise agreed, in such case shall be their fair value. This value will be determined by the Board of Directors of the Company.
- (e) In case the Directors fail to find a purchaser within the period specified in sub-clause (b) above the member intending to sell his shares shall be at liberty to do so on such price as he considers proper and the Directors shall, subject to their right to decline such registration under sub-clause (a) above, register transfer of such shares.

- (f) The right of pre-emption set out in clauses (b) to (e) of this Article shall not be enforced in case of transmission or transfer of shares in favour of the heirs of a member or mother, father, brother, sister, or daughter-in-law of a member, but shall apply if the transmission is in favour of third parties.

Assume that an agreement similar to the one mentioned in *V.B. Rangaraj v. V.B. Gopalakrishnan*, AIR 1992 SC 453 was entered into between two members of RIL. Later one of the parties to this agreement transferred the shares to a third party. The other party claims that such transfer is in breach of the said agreement. You are required to decide about the validity of the said agreement.

(10 marks)

2. Critically comment on *Walford v. Miles*, [1992] 2 AC 128. (5 marks)
3. Visit the page at <https://www.zaubacorp.com/company/Techlegal-Solutions-Private-Limited/U74900MH2010PTC199778> for details including the status of the Techlegal Solutions Private Limited as on date.

Assume that 2 members of TSPL have entered into a shareholders agreement. Is that agreement enforceable as on today (i.e. 09.09.2021)?

(5 marks)

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TAMIL NADU NATIONAL LAW UNIVERSITY, TIRUCHIRAPPALLI
B.A. LL.B. (Hons) and B.Com. LL.B. (Hons) Degree Programme
Fifth Year, Ninth Semester - Mid Semester (Odd-Semester) Examinations, September 2021
CLINICAL III (PROFESSIONAL ETHICS AND PROFESSIONAL ACCOUNTING SYSTEM)

Time: 2 Hours

Maximum Marks: 20

PART – A (2 x 10 = 20 marks)

Answer the following Questions:

1. After marriage, Meera and Rafiq decided to start a small bakery from their garage. As their lawyer turned family friend, you have been helping them for the past 8 years, right from formalising the business structure, applying for business licenses, filing of taxes and many such things. Sometime around July 2021, however, Meera and Rafiq decided to file for a divorce, and Rafiq approached you separately with a request to represent his side of the case. Should you agree to represent him? If yes, why? If not, why not? Elaborate your answer with appropriate reference to the non-negotiable values of the legal profession.
2. You have just started working under Ms. Linda, a Senior Advocate practicing in the Supreme Court of India. The very first task she assigns you is to draft a Special Leave Petition against the order of the High Court of Telangana that denied the bail application of a 43-year-old man accused of raping a minor. You find this to be fundamentally misaligned with your personal view of ethics and morality, but as a junior, feel nervous to refuse the assignment at the same time. Explain possible strategies and resources to resolve this conflict between your personal ethics and professional duties as a lawyer.
