



TAMILNADU NATIONAL LAW UNIVERSITY



QUESTION PAPERS


FACULTY-IN-CHARGE OF EXAMINATIONS
TAMIL NADU NATIONAL LAW UNIVERSITY
TIRUCHIRAPPALLI - 620 027.

**SPECIAL REPEAT (ODD & EVEN SEMESTER)
EXAMINATIONS,
FEBRUARY -2025**

Name : Register No.:

TAMIL NADU NATIONAL LAW UNIVERSITY, TIRUCHIRAPPALLI
B.A. LL.B. (Hons.) & B.Com. LL.B. (Hons.) Degree Programmes
Special Repeat (Odd & Even Semester) Examinations, February – 2025

POLITICAL SCIENCE

Time: 3 Hours

Maximum Marks: 100

PART - A (4 x 20 = 80 Marks)

Answer any FOUR of the following questions in not exceeding 800 words each.

1. Define Political Science and discuss the Nature of Political Science.
2. "*State is a Divine institution created by God and King is God's Representative*" – Critically analyse the statement.
3. Critically examine Austin's theory of Sovereignty.
4. Define Law and explain various Kinds of Laws and important Sources of Laws.
5. Critically examine the basic Principles of Karl Marx.
6. Define Public Opinion and evaluate various Agencies which could mould public opinion in modern times.

PART - B (4 x 5 = 20 Marks)

Answer any FOUR of the following questions in not exceeding 400 words.

7. Explain the important Political Rights that are being enjoyed by an individual in a democratic state.
8. Bring out the differences between State and Government.

9. Explain the important Features of Anarchism.
10. Write about the Functions of Judiciary
11. *"It is almost a dogma of Political Science that the legislature ought to consist of Two Chambers"*- Give an account of the Arguments in support of the statement.
12. Distinguish between the Unitary and Federal forms of Government.
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B.A, LL.B. (Hons.) & B.Com. LL.B. (Hons.) Degree Programmes
Special Repeat (Odd & Even Semester) Examinations, February – 2025
LAW OF INTERNATIONAL CARRIAGE OF GOODS BY SEA

Time: 3 Hours

Maximum Marks: 100

PART - A (4 x 20 = 80 Marks)

Answer any FOUR of the following questions in not exceeding 800 words each.

1. Explain the significance of INCOTERMS in international trade and how they determine risk and responsibility in carriage contracts.
2. Examine the different types of Bills of Lading and their legal implications on the general functions of the bill of lading. Use judicial precedents wherever relevant.
3. Analyze the preconditions and availability of defences to a carrier under the Hague Rules by examining the *Volcafe Ltd & Ors v. Compania Sud Americana De Vapores, S.A* [2018] UKSC 61.
4. Explain the legal implications of delay in laytime and demurrage clauses in voyage charterparty contracts using relevant cases.
5. Critically evaluate the doctrine of proximate cause in marine insurance claims with relevant principles and cases.
6. Explain in detail the pecuniary obligations of the charterer in a time charterparty.

PART - B (4 x 5 = 20 Marks)

Answer any FOUR of the following questions in not exceeding 400 words each.

1. Analyze the challenges faced by the international carriage of goods by sea legal regime in handling electronic bills of lading.
 2. Explain the importance of the safe port obligation in *charterparties* with relevant judicial decisions.
 3. Highlight the advantages of maritime arbitration proceedings over admiralty cases in handling cargo claims.
 4. Critically analyze the relevance of the seaworthiness obligation in contracts of affreightment.
 5. Analyze the concept of admiralty jurisdiction in India and its evolution post *MV Elisabeth v. Harwan Investment & Trading Pvt. Ltd.* AIR 1993 SC 1014.
 6. Explain the importance of the warranty of neutrality in marine insurance contract.
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Special Repeat (Odd & Even Semester) Examinations, February – 2025
CIVIL PROCEDURE CODE

Time: 3 Hours

Maximum Marks: 100

PART - A (4 x 20 = 80 Marks)

Answer any FOUR of the following questions in not exceeding 800 words each.

1. What is a proclamation of sale? State the modes of making proclamation of sale in an execution of a decree? Also discuss the grounds on which the sale can be set aside.
2. Highlight the importance of Sections 16-20 of the Code of Civil Procedure, 1908 as regards the filing of suits with reference to different subject matter of the dispute.
3. What do you mean by pleadings? State the object of it and to explain in detail the basic rules of pleadings and the circumstances under which the pleadings can be amended.
4. Do you agree with the statement that 'a second appeal under section 100 of CPC is limited to substantial question of law? – Examine in detail and Refer to relevant case laws and also state can a High court reverse an erroneous findings of fact in second appeal?
5. The Limitation Act, 1963 only bars the remedy and does not destroy the rights accrued. Points out the significance of this statement and state specifically the extent to which the limitation is extended in the case of person under 'disability'.

6. What are the factors that should be taken into account by the court while granting an order for temporary injunction? Also, state the consequences for breach of such injunction order? Refer to relevant provisions and the case laws if any under the CPC.

PART – B

Answer any FOUR of the following in not exceeding 400 words each

1. Write the difference between *Res-Judicata* and *Estoppel*.
2. Bring out the nature, scope and binding effect of a "Foreign Judgment".
3. Explain the concept of "necessary parties and proper parties"
4. Distinguish between "set off" and "counter claim".
5. What are the essential conditions that must be fulfilled by a plaintiff to qualify as an indigent person under the CPC and briefly state the consequences of filing a false affidavit of poverty?
6. A, a resident of Delhi, files a suit against B, a resident of Mumbai, in a court in Delhi claiming damages for a tort committed by B in Mumbai. B challenges the jurisdiction of the Delhi Court on the ground that the cause of action arose in Mumbai. Can the Delhi Court assume jurisdiction over the suit? Provide a detailed analysis with relevant principles and judicial decisions.

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B.A. LL.B. (Hons.) & B.Com. LL.B. (Hons.) Degree Programmes
Special Repeat (Odd & Even Semester) Examinations, February – 2025
CLINICAL – II (DRAFTING, PLEADING AND CONVEYANCE)

Time: 3 Hours

Maximum Marks: 100

PART - A (4 x 20 = 80 Marks)

Answer any FOUR of the following questions in not exceeding 800 words each.

1. "Mission for the Last Man (MLM)" is a Charitable Trust registered in Chennai with the intention to provide free coaching services for school students taking up Board Exams. To carry out the said activity, the trust has identified a Vacant space in the first storey of Mr. Sahananth's Building. As a legal counsel for MLM negotiate with Mr. Sahananth and facilitate the execution of a mutually agreed 3-year lease deed for the same.
2. Ms. Aninantha and Mr. Gowtham are heirs of Mr. Umapathi, who purchased a house in 1980 for Rs. 3.00,000 at Virudhachalam. Mr. Umapathi died on 10.08.2018 without leaving a will. Mr. Gowtham and his family are now staying in the above mentioned property. Ms. Aninantha is married and stays with her in laws in Chennai. Deciding to spend the summer vacation with her brother, Ms. Aninantha comes down to her father's home with her husband and kids. But, Gowtham denied entry stating that the property belongs only to him and Anitha has no rights over them. Aggrieved by her brothers actions, Ms. Aninantha sent a notice regardingly and Mr. Gowtham replied claiming absolute ownership over the property. Draft an appropriate Plaintiff.

3. Mr. Michel Asirvatham, a school teacher, working in a Panchayat Union Primary School, Navalurkuttapattu, did beat a student for not completing the homework on time. On hearing this, the villagers staged a protest and subsequently he was suspended from service. Draft a writ petition on behalf of the school teacher.
4. Professor Raman is widower and has a son named Mr. Nayanathan. At the age of 60, Prof. Raman married Ms. Mallika, aged 45 years, who is a Carnatic Singer on 15.06.2023. Prof. Raman was invited by the Harvard School of Law to deliver a lecture on sustainable development. Prof. Raman handed over a briefcase containing some documents, valuables, etc. to his advocate Ms. Subha on leaving to Harvard on 20.06.2023. He died on the air travel. Later, there arose a property dispute between Mr. Nayanathan and Ms. Mallika. Both of them approached the advocate Ms. Subha claiming possession over the briefcase. The advocate decides to seek an appropriate direction from the Court. Draft an appropriate suit.
5. Why is the registration of a few documents mandatory under the Registration Act, 1908? What are the documents that need to be compulsorily registered? What are the documents for which registration is optional?
6. Mrs. Leela, a widow resides at 22, Ramji Nagar, Trichy. Mrs. Glory, her husband Mr. Aasif, brother Mr. Robert are residing at door no. 23 of the same street. The residents have to draw water from a Common tap for drinking. On 06/02/2025, while Leela went for drawing water, found Glory washing clothes and her husband was brushing his teeth and spitting on the floor. Ms. Leela requested glory to leave the tap as she needs to draw water for cooking. Ms. Glory used filthy language and her husband abused her. Robert came with a hockey stick and threatened to kill her. Ms. Glory grabbed the stick and gave blow to Ms. Leela. Another co-tenant Mr. Ramu intervened and saved the victim. She did report this and gave a written complaint at the local police station and went to the Government Hospital to get treated as an in-patient for day. The police did not take any action. Aggrieved by this, Ms. Leela now wants to directly approach the court. Draft a criminal complaint.

PART - B (4 x 5 = 20 Marks)

Answer any FOUR of the following questions in not exceeding 400 words each.

1. The Minister of Irrigation and Power Mr. Atlee Khan and others were facing serious allegations of corruption and misuse of power. This caused causality in the country and the Government ordered the police to take cognizance by filing appropriate complaints. Apprehending arrest, the Minister is approaching you to get him an anticipatory bail. Prepare a draft to make an application before the appropriate Court.
 2. What are the important points that should be taken into consideration while drafting a Written Statement?
 3. Justice P. N. Bhagwati quoted that, "Drafting entrusts a dual responsibility on an advocate"- Elucidate this Statement in light of fundamental rules of legal drafting.
 4. How will you identify and describe the parties in a suit?
 5. Draft a Sample clause to plead Condonation of delay when you prefer a suit beyond the limitation period.
 6. Differentiate between Testatum and Testimonium.
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Special Repeat (Odd & Even Semester) Examinations, February – 2025
HEALTH CARE LAWS

Time: 3 Hours

Maximum Marks: 100

PART - A (4 x 20 = 80 Marks)

Answer any FOUR of the following questions in not exceeding 800 words each.

1. Trace and evaluate the contribution of WHO in forming the Indian health care laws.
2. What is meant by 'Clinical Trials'? Are there any governing regulations to govern the same in India? If so, analyse the same.
3. Explain the Indian judiciary's contribution in shaping 'Right to Health' under Article 21 of the Indian Constitution.
4. Explain the Government's initiative in bringing affordable health insurance to all.
5. What is meant by 'Drug'? Discuss and differentiate between the adulterated, spurious and misbranded drugs.
6. What is meant by 'Authorisation Committee' under The Transplantation of Human Organs and Tissue Act, 1994. Also, assess the relevant rules related to the transplantation of human organs.

PART - B (4 x 5 = 20 Marks)

Answer any FOUR of the following questions in not exceeding 400 words each.

1. Ms. Anthanya is a 28-year-old married woman with 2 children. Her relationship with husband is straining and couple decided to file for mutual divorce and proceedings are in process. Meantime, she finds out that she is 20 weeks pregnant. She decided to terminate her pregnancy. Examine the validity of her decision in the light of Medical Termination of Pregnancy Act, 1971 with latest amendments.
2. Mr. Kamat and Ms. Varshina, are married couple aged 29 and 32 years old. After failed attempts for last 3 years to have a baby naturally, they decide to opt for surrogacy as Ms. Varshina is declared to be not having potentiality to survive pregnancy due to her medical conditions. Mr. Kamat's married sister who is around 35 years old agrees to act as surrogate for the couple. She already has 2 kids of her own. Decide the validity of the procedure under the Surrogacy Act, 2021.
3. Ms. Zara, 30 years old, is diagnosed with both acute kidney's failures. Henceforth, she decided to opt for Euthanasia. Explain the validity of the decision under the current existing laws.
4. Dr. Anish is a reputed cardiothoracic surgeon. On 15.02.2025, he performed a by-pass surgery for one of his patient, Mrs. Sujatha, 49 years old female. Post- surgery, her conditions were stable and he left home post operation. Later the same day, Mrs. Sujatha was diagnosed with fever and sepsis. Immediately, within few hours her conditions worsened and she passed away on the same day. The reason for the fever and sepsis was use of unsterilized surgical instruments. Thus, a medical negligence suit was filed against Dr. Anish. Discuss the liability of Dr. Anish's under the Indian laws.
5. Mr. Lokanath, aged 60 years had taken a health insurance which explicitly excludes 'Genetic Diseases'. He is diagnosed with Hypertrophic Obstructive Cardiomyopathy which is a 'Genetic Disease' and thus, has a possibility of exemption. Analyse the

possibility of enforcement of this insurance contract in lieu of the judicial response in respect of the 'Genetic Disease' as an exemption.

6. Dr. Krishna, is an Orthopaedic. He is invited for a National Conference sponsored by the famous pharma company-Orthoherb Nutrients Co. Ltd. His travel and accommodation expenses were also sponsored by them to attend the Conference where in he was a panel member. He also received an honorarium of Rs 2 lakhs/- for his involvement in the Conference. Analyse, if Dr. Krishna is eligible for such sponsors under the current existing laws.
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Special Repeat (Odd & Even Semester) Examinations, February – 2025

INTERNATIONAL TRADE LAW

Time: 3 Hours

Maximum Marks: 100

PART – A (4 x 20 = 80 Marks)

Answer any Four of the following in not exceeding 800 words

1. Critically evaluate the features of the Porter Diamond Theory of National Advantage. Assess the relevance and effectiveness of the National Advantage Theory in the era of Liberalisation, Privatisation and Globalisation (LPG).
2. Explain the Organisational Structure of the World Trade Organisation (WTO) and evaluate the role and contribution of the Ministerial Declaration in the realisation of the purposes and objectives of the WTO.
3. Critically evaluate the implications of the mandate of the principles of National Treatment where country to treat foreign goods and services the same as domestic ones within its own market in international trade regime. Refer to the relevant provisions of the GATT.
4. Critically examine the need for Bilateral Investment Treaties. Evaluate the power of the sovereign states in imposing the restrictions against the investment refer to the relevant provisions of the Model Bilateral Investment Treaties in India.
5. The World Trade Organisation Dispute Settlement Understanding (WTO-DSU) not only facilitates for speedy disposal of disputes between parties but also describes Rules and Procedures Governing on the Dispute Settlement. Evaluate this statement referring to the stages of the dispute settlement process and the limitation against all the stages of the process.

6. "Most of the Covered Agreements of the World Trade Organisation spell out the principles and objectives of the World Trade Organisation and the same have to be used as the primary sources to resolving the disputes between and amongst the member countries of the Organisation". Evaluate this statement referring to *Shrimp* *Turtle* and *Tuna Dolphin* cases.

PART – B (4 x 5 = 20 Marks)

Answer any Four of the following in not exceeding 400 words

1. Analyse the principles of the New International Economic Order (NIEO) have been incorporated in the WTO Agreements.
 2. Assess the working of the Trade Review Policy Mechanism (TRPM).
 3. Comment upon *Certain Measures Relating to Solar Cells and Solar Modules*, WT/DS/456, 2023.
 4. Explain the functions of the Committee on Trade and Environment (CTE).
 5. Analyse the effectiveness of the North American Free Trade Agreement (NAFTA) in the trade facilitation.
 6. Assess the importance of the Agreement on Agriculture (AoA) in ensuring food security between generations.
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Name :

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B.A. LL.B. (Hons.) & B.Com. LL.B. (Hons.) Degree Programmes
Special Repeat (Odd & Even Semester) Examinations, February – 2025
SOCIO ECONOMIC OFFENCES

Time: 3 Hours

Maximum Marks: 100

PART - A (4 x 20 = 80 Marks)

Answer any FOUR of the following questions in not exceeding 800 words each.

1. "Every accused shall be presumed to be innocent till proved guilty." Justify the statement by enumerating relevant provisions under Prevention of Money Laundering Act, 2002.
2. How do socioeconomic factors, technological advancements collectively influence the prevalence of human trafficking? Examine the most effective strategies that governments, international organizations to combat trafficking?
3. Critically examine the distinction between 'traditional offences' and 'Socio Economic Offences' and evaluate the role of *mens rea* in Socio Economic Offence with the help of relevant judicial decisions.
4. How do the provisions of the Narcotic Drugs and Psychotropic Substances (NDPS) Act, 1985, balance the need for strict drug control with concerns about individual rights, rehabilitation, and judicial discretion in India?
5. Explain the term Benami Property and critically examine the differences between Benami Transactions (Prohibition) Act, 1988 and The Benami Transactions (Prohibition) Amendment Act, 2016.

6. How effective is the Prevention of Corruption Act, 1988, in addressing various forms of corruption in India, particularly in light of amendments such as the Prevention of Corruption (Amendment) Act, 2018?

PART - B (4 x 5 = 20 Marks)

Answer any FOUR of the following questions in not exceeding 400 words each.

1. What is the role of the Financial Action Task Force (FATF) in combating money laundering and terrorism financing?
 2. What is the significance of whistleblower protection in combating corruption and misconduct?
 3. What legal measures exist to combat bride trafficking at the national and international levels?
 4. How does migrant smuggling differ from human trafficking?
 5. What is the primary role of the Central Bureau of Investigation (CBI) in India?
 6. What is the objective of the Lokpal and Lokayuktas Act, 2013?
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ELECTION LAW

Time: 3 Hours

Maximum Marks: 100

PART - A (4 x 20 = 80 Marks)

Answer any FOUR of the following questions in not exceeding 800 words each.

1. Mr. Suriyanthan is a Member of Parliament at the Lok Sabha representing KKK, a ruling party in the State of Milta (A state in the Country). Mr. Suriya holds certain businesses in the sectors of consumer soaps and cosmetics. Some more businesses include Star-rated hotels in the State's top 3 cities. He further holds business in mineral water cans and packaged drinking water. For several of Milta's Governmental programs like Conferences, Meetings, launching events of various Govt. Projects, accommodation of various guests of the State, etc., Mr. Suriyanthan's company's goods and services are widely utilised. For some goods like water bottles, there is no requirement of Tenders due to their low budget and instant usage. Mr. Dhyan, a ruling party's MP at the Lok Sabha, raises to the Speaker that Mr. Suriyanthan benefits from the Office of Profit as for several Govt. Programs in Milta, the advantage of choice of products are largely from the Companies owned by Mr. Suriya, from hotels, to packaged drinking waters. Although the hotels are chosen through winning tender processes, Mr. Dhyan still claims Mr. Suriyanthan guilty from Office of Profit. As a lawyer, Mr. Suriyanthan approaches you to give an opinion on how to tackle the situation and prevent being found guilty. The one defence he believes that he is an MP and that his businesses are completely within the state (at least as per the claims) and that they are alien to the claims of any 'profit' with the Union Government or its affairs.

Advise Mr. Suriyanthan on all available provisions and Judgements on Office of Profit, for the situation where the question of profit is in State and the Office is under the Union.

2. The idea enumerated in the *Anoop Baranwal v. Union of India*, 2023 SCC On Line SC 216 was triumphed by a Legislation introduced in the Parliament by order of Separation of Powers. One of the major changes observed in the latter was the exclusion of the Chief Justice of India as a third member of the Panel to select the Chief Election Commissioner of India replaced by a Cabinet Minister [at the choice of the Prime Minister]. However, the new Legislation received mixed critical response, it nevertheless received the most media-attention. Yet, any review on the Panel recommended by the *Anoop Baranwal* case was hardly placed. **Fairly criticise (including some put forward in the Parliament) on the Panel recommended in the *Anoop Baranwal* case.**
3. Explain the process and significance of election notifications in the Indian electoral system. How do they ensure transparency and fairness in elections?
4. Adini, a similar country of diverse nature like India, has just received independence. Adini is forming a Constituent Assembly to create its own Constitution with a Parliamentary form of Government. Adini would also boast of a quasi-federal setup of governance, where the Union and States' relationship is balanced and determined by virtue of the Constitution of Adini, wherein it states that "*Adini ... shall be a Union of States*".

A Drafting Committee is formed by forefront leaders of Adini for the drafting of the Constitution for Adini. The Union as per the Draft Constitution would feature a bicameral legislature setup viz., the People's Chambers and the Council of States. The selection of members to the People's Chambers are decided to happen by way of general elections. The Draft Committee members are on a split of arguments whether the body in control of the elections must be independent or not, in conducting elections for both union and various states' legislative assemblies.

The Drafting Committee wishes this 'Body' hail supreme power *pari passu* with its Constitution. You are appointed as the legal expert of the Drafting Committee.

Advise them on the following themes.

- a. The Nature, Extent, Composition, Powers and Duties, and Exemptions like the Election Commission of India and the feasibility to import similar laws.
(10 marks)
- b. Elections and its mechanism under the power of Legislature and suitable proviso necessary to be inserted in the Constitution. Give suitable reasons to support your answer.
(5 marks)
- c. Elections and its mechanism as an independent authority and suitable proviso necessary to be inserted in the Constitution to achieve this effect. Give suitable reasons to support your answer.
(5 marks)
5. It is well-known through Judicial Precedents that several powers and responsibilities pertaining to an election comes under the control of the Election Commission of India, from the date of its Notification. However, there may be certain events and actions, that the ECI would not be in control of, during this period that MAY cause electoral influence[s]. Explain in detail, and compare in light of the plenary powers of the Election Commission of India (ECI) under Part XV.
6. Republic of India's farthest challenge in introducing a democratic electoral process to the people was crippled by illiteracy in the early 1950s. Somehow, certain policies were found effective to successfully overcome this challenge. How did India tackle this situation and what were the rules, provisions and judicial precedents laid out to stabilise this policy till the fourth General Elections? What were the operational challenges?

PART - B (4 x 5 = 20 Marks)

Answer any FOUR of the following questions in not exceeding 400 words each.

1. Examine the concept of 'Office of Profit' and its implications for candidates in Indian elections. Why has this been a contentious issue? Layout all the conditions of Office of Profit as illustrated in the precedents.

2. Explain the evolution of the constitutional and statutory framework for elections in India. How has this framework impacted the democratic process?
3. Mr. Jivay (23yo), a cinema actor by profession is a high-budget star and has a passionate horde inspiring him and the heroies he displays in his movies. Moved and encouraged largely by the receipt of rousing love and affection of the youth audience, he believes to connect with them in a more responsible and perennial manner. He believes that political introduction will foster his intentions efficiently. The upcoming General Election is only 92 days away approximately and the election maybe notified within 60 days. Mr. Jivay wishes to contest for the Lok Sabha Elections through a Party of his own. He also desperately wishes to have a symbol of 'Whistle' as he checked from ECI website that it is a free symbol [available] as his recent pop song is based on 'Whistle'. Some of his notable fans and business partners also volunteer to contest in the upcoming General Elections under his Party, if formed. As a part-time lawyer and a full-time political analyst, he approaches you to get an extensive idea of fulfilling his wishes and to operationalise the same. It is okay of you to mention Provision numbers of relevant Rules, Acts, Orders, etc. of whatever regulation available to cater to his query. At any cost, competing in the election through a party is non-negotiable. **Advise him suitably with all provisions available in the Indian law, so his wishes are executed.**
4. Analyse the role of the Election Commission of India in ensuring free and fair elections. Provide the challenges faced and measures taken by the Commission
5. What is the Model Code of Conduct in the election process, and why is it important? Illustrate with suitable examples of its enforcement and violations?
6. State your opinion on the concept of Freebies. Mention their roles in changing the landscape of an election in India. Compare if any, possible similar instances occurring in other countries. Mention any judicial precedents.

