

F 2401



Reg. No.....

Name.....

LL.M. DEGREE EXAMINATION, NOVEMBER 2022

First Semester

LWCC0102—JUDICIAL PROCESS

(2021 Admissions—Regular)

Time : Three Hours

Maximum Marks : 70

Answer any five questions.

All questions carry equal marks.

1. "The Indian judicial system follows the common law system based on recorded judicial precedents as inherited from the British colonial legacy"—Explain.
2. Examine the role of the Judiciary in social ordering with the help of decided case laws.
3. "When views are diverged, then we should make a choice between them or come up with a third proposition combining both. History, custom, social setup and some other compelling factors helps the judge in making the decision" —Explain.
4. Critically examine the Stone's views on the "leeways for choice".
5. Discuss the concept of judicial creativity. Also critically examine the creative role played by Indian judiciary for the protection of fundamental rights.
6. "Philosophy, history, tradition, and sociology all are forces which inform a judicial decision, although a judicial decision must be based upon the mores of the community at the present time" - Explain
7. Judicial activism certainly cannot be judicial anarchism. Discuss the parameters of reasonable judicial activism.
8. The general framework furnished by the statute is to be filled in for each case by means of interpretation, that is, by following out the principles of the statute. In every case, without exception, it is the business of the court to supply what the statute omits, but always by means of an interpretative function."—Explain.

(5 × 14 = 70)

