

**ONE YEAR LL.M DEGREE SUPPLEMENTARY EXAMINATIONS,  
JANUARY 2021**

**JUDICIAL REVIEW OF ADMINISTRATIVE ACTION**

**50 MARKS**

**Answer any one question from each Unit. Each Question carries 10 Marks.**

**UNIT 1**

1. Professor Michael Grave opines that the current implemented administrative state of the United States of America as “a power once known as 'prerogative'—that is, the power to make binding rules without law, outside the law, or against the law, exercised by someone other than an elected legislature," which he considers opposite to the intentions of the “founders." Elaborate on the rise and growth of the modern administrative law with the rise of Administrative state.

**OR**

2. The courts, with the view of curtailing abuse of power by administrative authorities and providing relief for the parties thereby affected, have developed ‘Ultra Vires’ as a firm doctrine of law, by extending and refining its scope to embrace various types of abuse of power committed by administrative authorities. Examine the doctrine in detail with its limitations.

**UNIT 2**

3. “There is no dispute that all administrative authorities are amenable to the jurisdiction of the constitutional courts.” Examine the same in light of Articles 226 and 227 of the Indian Constitution.”

**OR**

4. Discuss in detail the limits of the powers of judicial review of the Supreme Court under Article 32 of the Indian Constitution in matters of Administrative adjudications.

### **UNIT 3**

5. "Jurisdiction (exclusion of) has always been a disputed question with contradictory opinions pouring in from different quarters." Examine in detail the concept of jurisdiction, its evolution, importance and the exclusion of jurisdiction of civil courts in context of administrative adjudication.

**OR**

6. Write brief notes on the following:
- a. Rules of Res Judicata
  - b. Laches

### **UNIT 4**

7. "Natural justice is an expression of English common law, and involves a procedural requirement of fairness. The principles of natural justice have great significance in the study of Administrative law. It is also known as substantial justice or fundamental justice or Universal justice or fair play in action." Elucidate.

**OR**

8. "Bias means an operative prejudice, whether conscious or unconscious, in relation to a party or issue. Therefore, the rule against bias strikes against those factors which may improperly influence a judge in arriving at a decision in any particular case". Discuss in detail the meaning of bias, various kinds of bias and safeguards against bias.

### **UNIT 5**

9. Elaborate on the expanding applications of natural justice with illustrative expositions of principles like legitimate expectation, speaking orders etc.

**OR**

10. Elaborate on principle of exceptions to the rule of fair hearing.