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Reg. No.....

Name.....

LL.M. DEGREE EXAMINATION, SEPTEMBER 2022

First Semester

Paper II—JUDICIAL PROCESS

(Prior to 2021 Admission-supplementary/ mercy chance)

Time : Three Hours

Maximum : 75 Marks

*Answer any **five** questions.*

Each question carries equal marks.

1. 'The doctrine of precedent is based on the principle of stare decisis which requires lower courts to take account of and follow the decisions made by the higher courts where the material facts are the same and states that as a general rule, courts follow earlier decisions of themselves or of other courts of the same level'-Decide.
2. 'If a judge has the amount of freedom to determine which of its observations is ratio decidendi and which obiter dictum is there not a grave danger that he will exercise an undue influence on the future development of the law'. Discuss it under ratio decidendi and obiter dictum.
3. Analyse in detail the legal reasoning with regard to judicial and juristic reasonings.
4. Explain in detail the historical development of judicial process in USA and UK and its comparison with India.
5. Attempt in detail the relevance of judicial activism vis-a vis judicial self restraint with decided case laws.
6. Analyse the judicial process activated in the constitutional amendments in India by giving special reference to the basic structure doctrine.
7. Discuss how far judicial creativity helps in the judicial process with its limitations.
8. Discuss in detail the difference between literal and judicial interpretation by analysing an decided case.

(5 × 15 = 75)

