

7. Guardian and Wards Act, 1890.
8. The Dissolution of Muslim Marriage Act, 1939.
9. The Christian Marriage Act, 1872.
10. The Indian Divorce Act, 1869.
11. Dowry Prohibition Act, 1961.
12. Family Courts Act, 1984.

Prescribed Readings: (With amendments)

- | | | |
|---|---|------------------------|
| 1. Hindu law
(N.M.Tripathi Pvt. Ltd.) | : | Mulla |
| 2. Mohammedian Law | : | Mulla |
| 3. Introduction to Modern Hindu Law | : | Duncan M. Derrett |
| 4. Hindu Law – I | : | Paras Diwan |
| 5. Family Law | : | Prof.M.Krishnan Nair |
| 6. Muslim Law | : | A.A.A. Fyzee |
| 7. Outlines of Muhammedan Law | : | Asaf.A.A. Fyzee |
| 8. Marriage and Divorce
(5 th Edition Eastern Law House 1987) | : | A.N. Saha |
| 9. Laws of England IV Edition Re –issue
Vol.13 pp 239 – 665
Vol. 22 pp 565 – 717. | : | Halsbury’s |
| 10. Hindu Law | : | Raghavachari, N.R. |
| 11. Hindu Law | : | Subramania Iyer, V.N. |
| 12. Muslim Law in India | : | Tahir Mohammed. |
| 13. Christian Law | : | Sebastian Champapilly. |
| 14. Hand Book of Christian Law | : | Devadasan, E.D. |

Fifth Semester

Paper – I

LIFE WRITING AND TRAVEL WRITING

No of Instructional Hours: 5 per week

AIMS

1. To sensitize the students to the experiences of holocaust victims where human rights are violated
2. To acquaint the students with the experiences of legal luminaries
3. To introduce the students to the third gender
4. To acquaint the students with the wonderful world of travel literature

OBJECTIVES

On completion of the course, the students should be able to

1. distinguish the genres – autobiography, biography, diary writing.
2. to understand the rhetoric of travel writing

COURSE OUTLINE

Module 1: Autobiography

Module 2: Biography

Module 3: Diary

Module 4: Travel Writing

COURSE MATERIAL**Module 1:**

Justice V.R.Krishna Iyer. *Wandering in Many Worlds: An Autobiography*. Pearson. 2009.

Module 2:

2. Revathi. *The Truth about Me: A Hijra Life Story*. Penguin Books.

Module 3:

Anne Frank. *The Diary of a Young Girl*. (excerpts from *Reflections*. Pearson).

Module 4:

Jack Kerouac. *On the Road: The Original Scroll*. Penguin.

Paper – II**LAW OF CRIMES – PAPER – II – CRIMINAL PROCEDURE CODE**

Outcome :- This paper gives the students thorough knowledge of procedural aspects of criminal courts and other machineries, police investigations, special provisions relating to juveniles and probation of offenders.

1. Important definitions under the code of criminal procedure 1973 (Act 2 of 1974) – Constitution of Criminal Courts and Offices – Court of sessions – Assistant Sessions Judges – Judicial Magistrates. Special Judicial Magistrates Jurisdiction – Executive Magistrate – Public Prosecutors – Assistant Public Prosecutors – Power of courts – Jurisdiction in the case of Juvenile, Nature of sentences which could be passed by various courts. Powers of Police Officers – Aid and information by Public.
2. Arrests of Persons – without warrant by Police Officer – By Magistrate – By private persons – Search – Seizure of offensive weapons, Medical Examination of arrested persons – procedure to be followed on arrest – Process to compel appearance – summons – service of summons – Warrant of arrest – Search warrant – Proclamation and attachment – Bond for appearance – Impounding documents – Process to compel the production of thing – Security for keeping the peace and for good behaviour (Ss 106 and 107) - suspected persons – Habitual offenders – Imprisonment in default of Security. Order for maintenance of wives, children and parents (s.125) Procedure – Alteration in allowance – Enforcement of order of

maintenance - Maintenance of public order and tranquility – urgent cases of nuisance or apprehended danger (s.144) - Disputes regarding immovable property – procedure- local inquiry – preventive action of the police – Cognizable offences.

3. Information of the police and their powers to investigate information – procedure on investigation – statements Regarding of confessions and statements Power of Police Officer on investigation – Inquiry by Magistrate into cause of death – Jurisdiction of the criminal courts in inquiries and trials – conditions requisite for initiation of proceedings – Cognizans of offences by court of session – Prosecution in special cases – Complaints – Procedure on receipts of complaints – The charge – form and contents of charge - effect of errors – Joinder of charges – Trial before a court of session – Framing of charges – Discharge and Acquittal – Judgement of acquittal or conviction – Trial of warrant cases by Magistrates –Upon Police Report or otherwise - trial of summons cases - withdrawal - Summary trials - Attendance of persons contained or detained in prisons.

4.General provisions as to inquiries and trials (Sec 300 to 327) – Legal aid to accused at State expenses in certain case – Tendering pardon to accomplices – Power to examine the accused (S.313) Competency of accused to be a witness (315) Compounding of offence – withdrawal from prosecution – Provisions as to offences affecting the administration of justice – judgement –Orders to pay compensation - Plea-bargaining– confirmation of death sentences – Appeal Reference and Revision – Transfer of Criminal cases – Execution, Suspension, Remission and Commutation of sentences – Death sentence – Imprisonment – Provisions as to bail and bonds – Disposal of property – Limitation for taking cognizance of certain offences.

5. Relevant Provisions of Juvenile Justice (Care and Protection of Children) Act, 2015 and Probation of Offenders Act, 1958.

Prescribed Readings: (With amendments)

1. The code of Criminal Procedure, 1973.
2. Ratanlal and Dhirajlal, Code of Criminal Procedure (Wadhwa and Co. 1987)
3. A.K. Pavithran, Lecturers on the Code of Criminal Procedure.
4. R.K. Kelker. Outlines of Criminal Procedure. (Eastern Book Company).
5. Kerala Criminal Rules of Practic,1982.
6. Juvenile Justice (Care and Protection of Children) Act, 2015
7. Probation of Offenders Act, 1958.

Paper – III

CIVIL PROCEDURE CODE AND LIMITATION ACT

Outcome :- This paper provides the students rules of procedure and process of civil courts in civil disputes and Law of limitation.

1. Meaning of procedure – Distinction between procedural and substantive laws – Definitions-Judgements, decree, order foreign judgement, government pleader, Judge, Judgement debtor, legal representative, mesne profits, movable property, pleader, public officer – Jurisdiction of courts to try civil suits - stay of suit, *res-judicata* - Place of suing. – Institution of suits, pleading, plaint, written statement and set off. Parties to suits, joinder of parties, misjoinder of parties, framing of suits –Summons and discovery, issue and service of summons.
2. Appearance of parties, consequence of non appearance, *ex parte decree*, setting aside of ex parte decree; examination of parties by the court, discovery and inspection, admission, production, impounding and return of documents - settlement of issues and determination of a suit on issues of law or on issue agreed upon; disposal of suit at first hearing - Summoning and attendance of witness, adjournment. Hearing of the suit and Examination of witness, affidavit.
3. *Judgement and decree* : Execution of decree, interest, cost – compensatory cost. Property liable to attachment and sale in execution of decree - *Appeal*: - First appeal, cross appeal and cross objection, Second appeal, Appeal to the Supreme Court. Reference, Revision and Review – *Supplementary Proceedings* : Arrest before judgement, attachment before judgement, injunction, Appointment of receiver, security for costs, withdrawal of suits, payment into court, compromise of suits.
4. *Special proceedings* : Suits in particular cases: Notice before suit, Inter-pleader suit, suits by paupers, suit by or against firms, suits by or against a minor, suit in respect of public charities – Incidental proceedings - Exemption of certain woman from personal appearance - application for restitution, proceedings by or against representative, saving of inherent power- amendment of Judgement and decree.
5. *Law of Limitation*: - Nature of the law of limitation – Limitation of suits, Appeal and applications – Computation of the period of limitation – Acquisition of ownership by possession. Extension of time prescribed for certain cases – Expiry of the prescribed period when court is closed.

Legal disability and limitation. Continuous running of time- Exclusion of time in cases where leave to issue appeal. Exclusion of time - proceeding in court without jurisdiction. Effect of death on or after the accrual of the right to sue - Effect of acknowledgement in writing – Effect of substituting or adding new plaintiffs or defendants – Continuing breaches and torts – Acquisition of easement by prescription.

Statutory materials: (With amendments)

Code of Civil Procedure, 1908

The Limitations Act, 1963.

Civil Rules of Practice (Kerala) 1971.

Prescribed Readings: (With amendments)

Code of Civil Procedure (Students Edition) – Mulla

Civil procedure –C.K.Takwani

Commentaries on Code of Civil Procedure 1908 – Justice

C.K.Thakker

Paper – IV

FAMILY LAW – II

Outcome :- This paper provides the students the knowledge of both the codified and uncodified laws relating to succession of Hindus, Muslims and Christians.

I Hindu Law - Joint Family - Origin and Constitution of Joint Hindu Family – Mitaksharara co-parcenary, Co-parcenary Joint Family, Co-parcenary within a co-parcenary – Incidents of co-parcenary property - Right of co-parceners - Managing member - Powers & duties of a manager in a Joint family business. Dayabhaga Joint Family - Hindu Succession Act, 1956 – Partition – What is partition – Subject matter of partition – Persons entitled to a share – What constitute partition – The mode of partition – Re-opening and reunion-

2. Inheritance – General Principles –Exclusion from inheritance - Hindu Succession Act, 1956 – Sreedhana and Women’s estate – Changes effected by the Hindu Succession Act – Right of widow and other female heirs, Religious and charitable endowments – Endowments, Public and Private - Marumakkathayam Law – Tharavadu and its management – Karanavan – position and powers - Statutory changes – Debts and alienations – Partition – Nature of property allotted to a Marumakkathayi female member in particular of her tharavad property on the subsequent birth of a child to her. Acquisitions – Nature and effect of sthanoms – Statutory changes - General rules of succession of Hindu males and females – Order

of succession - Rules of succession of persons governed by Marumakkathayam Law –Right of child in womb, rules of evidence in case of simultaneous death, preferential right to acquire the share of another heir - Dwelling house.

3. **Muslim Law** – General Principles – Life estate and vested remainder – Hanafi Law of inheritance – The three classes of heirs – Principles of succession among sharers and residuaries – Doctrine of Increase and Return- Comparison with Shia law of inheritance – Scope of the doctrine of representation – Wills – Persons capable of making Wills – Bequest to heirs – Bequest to non –heirs - Limits to testamentary power – Revocation of Bequest –Death bed gifts and acknowledgement.

4. Gifts –Persons capable of making gifts – The three essentials of a gift – Delivery of possession of immovable property - contingent gifts – Revocation of gift – Hiba Bill –Iwaz- Hiba-Behart-UI-Iwaz – Wakf.- definition-Subject of Wakf – object of Wakf – Wakf how completed-Reservation of life interest for the benefit of Wakf- Public and private wakf. The Wakf Act, 1954 –Muttawallis or managers of wakf properties-Powers-Statutory control - Removal of Muttwallis – Law of Pre-emption

5. **Christian Law** – Law of succession of Christians, Rules of Succession under Indian Succession Act – Interpretation of Wills, words of limitation – Probate and letters of administration, duties of executor or administrator, succession certificate.

Prescribed Readings : (With amendments)

Indian Succession Act, 1925	:	
Hindu Law (N.M. Tripathi Pvt. Ltd.)	:	Mulla
Hindu Law	:	Paras Diwan
Introduction to Modern Hindu Law	:	Duncan M Derret
Mohammedan Law	:	Mulla
Outlines of Mohammedan Law	:	A.A.A. Fyzee
(Oxford University Press)		
Marumakkathayam Law	:	K. Sreedhara Warrrier
Family Law	:	Prof. M.Krishnan Nair
Christian Law	:	Dr. Sebastian
Hindu Law	:	N.R.Raghavachari
Hindu Law	:	V.N.Subramonia Iyer
The Muslim Law of India	:	Tahir Mohammed

Paper – V
CONSTITUTIONAL LAW – II

Outcome :- This paper acquaints students with the Centre – State – Local Governance process envisaged under the Constitution – Introduce Legislative, Executive and Judicial mechanisms under the Constitution – Generate awareness on the election system, emergency, Amendments etc.

1. Union Executive, President, Vice-president and Council of Ministers (Art.52 – 123): - Constitutional position and powers of the President – Privileges of the President – Constitutional position and powers of Vice – President – Council of Ministers – Principle of Collective Responsibility – Power of the Prime Minister – Dismissal of the Cabinet – Attorney General of India – Parliament (Art. 79 – 122) – Composition of Parliament – Rajya Sabha and Lok Sabha – Qualification for Membership of Parliament – Speaker and Deputy Speaker – Session of Parliament – Functions of Parliament – Union Judiciary (Art. 124 – 168) – Composition of Supreme Court – Jurisdiction of Supreme Court – Independence of Judiciary how maintained under the Constitution –

2.State Executive (Art. 153 -167) – The Governor – Constitutional powers and functions – Council of Ministers – Chief Ministers, Appointment – powers – State Legislature (Art.169 -212) – Legislative Councils – Compositions and functions of the Houses – Qualification for membership – Speaker and Deputy Speaker – Session of the Houses.

3. State Judiciary (Art. 214 -237) – Appointment of Judges – Jurisdiction of the High Courts Writ jurisdiction under Art.226 – Subordinate Courts.

Legislative Privileges (Art. 105 and 194) – Powers, privileges and immunities of Parliament and its members – Powers and Privileges of State Legislature and its members – Privileges and courts.

4.Relation between Union and State (Art. 245 – 293): Legislative relations (Art. 245 – 255) – Extent of Laws passed by the Parliament and State Legislatures – Residuary Power of Legislation – Doctrine of Colourable Legislation – Pith and substance – Doctrine of occupied field – Administrative Relations (256 – 263) – Duties of Union and States –

Control of Union over States – Co-ordination between States – Financial Relations (Art.268 -291) – Distribution of revenue – Collection of taxes – Restriction on Taxing powers – Trade, Commerce and Inter course within the territory of India (Art. 301-307) – Parliament’s power to regulate imposition of taxes. Services under the Union and States (Art. 303 -323) – Doctrine of pleasure – Rights given to Civil

servants – Recruitment conditions, tenure – Dismissal – Reduction in rank. Compulsory retirement.

5. Election Commission (324). Powers and Functions – Emergency Provisions (352-360) – National Emergency- State Emergency – Financial Emergency – Emergency and Fundamental Rights – Emergency and judicial Review - Amendment (Art. 368) – Various methods of amendment – concept of basic structure – Amendment and Fundamental Rights – Amendment and Judicial Review.

Prescribed Readings: (With amendments)

- | | | |
|---|---|----------------------------|
| 1. Constitutional Law of India
(N.M. Tripathi Pvt. Ltd.) | : | H.M. Seervai |
| 2. Shorter Constitution of India
(Wadhwa and Co.) | : | D.D. Basu |
| 3. Constitutional Law of India
(Wadhwa and Co.) | : | Dr. Jain |
| 4. Constitutional Law of India | : | J.N. Pandey |
| 5. Constitutional Law of India | : | Prof. P.S. Achuthan Pillai |
| 6. Constitution of India
(Eastern Book Co.) | : | V.N. Shukla |

Sixth Semester

Paper – I PROSE AND FICTION

No of Instructional Hours: 5 per week

AIMS

1. To make students aware of the diverse fictional forms in prose.
2. To enable them to analyse and appreciate various fictional writings.
3. To give them an insight into other cultures.
4. To help them think and write imaginatively.

OBJECTIVES

On completion of the course, the students should be able to

1. identify different fictional forms
2. analyse and appreciate fictional writings.
3. write imaginatively.

COURSE OUTLINE

Module 1:

- Prose fiction – fable, short story, novel.