

T.C = 021, 022, 023, 024, 025 & 026

011/DM/21

Register Number									
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DEPARTMENTAL EXAMINATIONS

TRANSLATION TEST - FIRST PAPER - TRANSLATION OF ENGLISH
PASSAGE BEARING ON COURT JUDGMENT INTO TAMIL

(Without Books)

Maximum Time : 2.30 hours

Maximum Marks : 100

Note :

- (i) Answer ALL questions.
- (ii) All question carry equal marks.
- (iii) Good handwriting will fetch you more marks.
(4 × 25 = 100)

I. Translate the following passage into Tamil :

1989 Supreme Court Cases

Dated : 26th June, 1989

(Before K. Jagannatha Shetty. J)

Petition for Special Leave to Appeal (Crl) No. : 1090 - 91 of 1989

Order :

K. Jagannatha Shetty. J

The petitioners were released on bail by the Enquiry Magistrate under (a) to Section 167 (2) of the code of criminal procedure. After filing of the chargesheet the High Court ordered their re-arrest by cancelling the bail. The order of the High Court is now challenged.

I do not find any merits in these petitions. But before dismissing, I wish, however, to draw attention to some aspects of the question raised.

[Turn over

The facts :

On March 23, 1988 the petitioners were arrested in Bombay by the officers of the Narcotic Control Bureau. They were ordered to be produced before the competent Magistrate at New Delhi. They were accordingly produced before the Additional Chief Metropolitan Magistrate New Delhi.

On March 29th 1988 they were remanded to jail custody till April 12, 1988. The remand order was subsequently renewed from time to time on May 10th 1988, the petitioners moved before the Chief Metropolitan Magistrate for bail. When that petition was pending consideration, the prosecution submitted chargesheet. The chargesheet was filed on June 23, 1988 for offences under Sections 21, 23 and 29 of the Narcotic Drugs and Psychotropic substances Act 1985. On July 22, 1988, the petitioners filed an application for bail under section 167(2) Cr. P.C. on the ground that the chargesheet was filed after the expiry of 90 days of their arrest. On July 29th 1988, learned Magistrate enlarged them on bail on their furnishing self bonds in the sum of Rs. 2 lakhs each with two surety bonds in the sum of Rs. 1 lakh each.

The efforts of the prosecution to have the bail cancelled could not succeed before the learned Magistrate so they moved the Delhi High Court under section 439(2) read with section 482 of the Cr.P.C. In the application the nature of the offence committed, the part play by the accused, the gravity of the offence etc were all set out. It was also stated that since two of the accused were earlier absconding the investigation in the case could not be completed in time frame.

II. Translate the following into Tamil :

The Prevention of Corruption Act 1947 prescribed sentence punishable with imprisonment for a term which shall not be less than one year but which may extent to seven years under section 5(2) of the Act. The court is competent to award sentence of imprisonment less than a year followed by reasons recorded by the court. We could not substantiate any reasons of leniency under prevailing circumstances of the case. The offence under Prevention of Corruption Act cannot be treated as otherwise other than gravity of crime. Corrupt practice had been prevalent in the country. In the case offence is not very simple. It is not a case to get small amount by small writer or servant to do small matter. We are not concerned with leniency for loss of Revenue followed by getting illegal gratification of sizable amount by the Income Tax Officer. The court had convicted the Income Tax Officer and sentenced him to undergo one year imprisonment for the offence of obtaining illegal gratification of Rs. 12,000 from one Income Tax Assessee. Eventhough the Income Tax Officer had retired from service long back, no leniency had been shown by the court since the offence is committed is grievous in nature. The Prosecution had failed to examine his witness. The court cannot take adverse inference when the defence side could not conduct Cross Examination over the prosecution witness even if the defence side is allowed to conduct cross examination.

III. Translate the following into Tamil :

In the High Court of Judicature Chennai

25th October 2012

Present : Honourable Judge Thiru. Mohan

Cr. P. No. : 2391/2011

In an eviction petition filed on the ground of demolition and reconstruction, motive for demolition and reconstruction is wholly irrelevant. It is always open to the landlady to demolish an admittedly old building and put up a new building in that place with a view to augment her income. It is settled law that a concrete and immediate proposal or scheme to demolish an existing building and reconstruct it into bigger, more productive and higher income yielding one cannot, by any means, be said to be Malafide. Section 14(1)(b) of the Tamil Nadu Buildings (Lease and Rent Control) Act is not rendered inapplicable merely because the building is not old or dilapidated but is in a good condition. In other words, if the intention of the landlady for demolition and reconstruction is proved to be genuine and not spurious or specious, the landlady would be entitled to obtain an order for eviction under section 14(1) (b) of the Act whether or not the condition of the building is such as to require immediate demolition, the age and dilapidated condition of the building being sine qua non for such eviction.

IV. Translate the following passage into Tamil :

In the High Court Judicature at Chennai

27th Day of June 1980

Present : Honourable Judge P.R. Gokula Krishnan

Judgement

The point for consideration is whether the time taken by the Lower Court for payment of printing Judgement to be remitted has been deducted or not. Rule 135(5) of Civil Rules Practice clearly says that the judgement and decree should be printed. The party has to remit charge of printed judgement within seven days from the date called for call for date is 28.10.1978. The party had made payment on 4.11.1978. The matter had been agreed that the charge had been collected within seven days as per the Rule.

The following is the text in Javvaji Venkateswaralu case. Rule 127 of Civil Rules Practice expects that when copy Application is made, not accompanied with stamp papers and printing charge, the court has to fix time for furnishing stamp papers and printing charge. Then the party has furnished as such within the specified time; the party has complied with the requisite formality. If the party is paid on the last date, prior day has been included as time taken by the court. No doubt no time has been fixed by the court in this case. But seven days time is granted to the party as per Rule 185(3) of Civil Rules of Practice when compared to the Andhra decision referred to above, the facts and circumstances of the case is wholly relevant. In this aspect, the time taken by the court for collection of printing charge in the case is as per the provisions under Rule 135(3) and time taken is to be deducted. If the Appeal is filed within the time, deducting time taken for printed judgement, the Appeal is to be numbered or Application for condoning the delay under section 5 of the Limitation Act may be filed along with Appeal.
