



NATIONAL OPEN UNIVERSITY OF NIGERIA
FACULTY OF LAW, DEPARTMENT OF PUBLIC LAW
Plot 91, Cadastral Zone, Nnamdi Azikiwe Express Way, Jabi – Abuja
2022_2 POP EXAMINATION

COURSE CODE: PUL337
COURSE TITLE: PUBLIC ADMINISTRATIVE LAW
CREDIT UNIT: 3
TIME ALLOWED: 3 HOURS

Instruction: ANSWER QUESTION 1 (ONE) AND ANY OTHER 3 QUESTIONS. ALL QUESTIONS CARRY EQUAL MARKS (15 MARKS) EXCEPT QUESTION 1 WHICH CARRIES 25 MARKS.

1. The government of the People's Republic of Ibuku has recently been overthrown by some military juntas due to the alleged poor administration and lack of capacity to enforce the law by the overthrown civilian government. The leader of the juntas, Major Soffia has announced that they only meant well for the people by taking over the government. However, he has added that the military rule under his control would have nothing to do with the constitution. According to Major Soffia, constitution has made no difference in the life of the people, after all the overthrown regime claimed to have ruled through the constitution and yet, it could not make life any better for its subjects. This idea has generated a lot of uproar among the people who vehemently opposed the move, but still, some seem to believe Major Soffia's stance.
 - (a) As an administrative analyst and lawyer, you are required to wisely advise Major Soffia and his supporters on the meaning and essence of the constitution in a State. =17Marks
 - (b) What do you understand by the term, 'Declaration' in the legal parlance? =4Marks
 - (c) On what central reason or ground will the court grant the application for mandamus? =4Marks
2. Why do you think there is need for setting up administrative adjudication body or tribunal even with the face of complex nature of the modern government? =15Marks
3. With the aid of the law, briefly discuss how the executive gets and exercise its powers=15Marks
4. Based on your knowledge of administrative law, identify and succinctly discuss the vital grounds upon which the superior court may grant an order of Certiorari. =15Marks
5. Identify and briefly explain at least five reasons why '*Delegated Legislation*' has been criticized. =15Marks
6. (a) Identify any five (5) circumstances that will operate to limit the application/granting of the order of mandamus. =10Marks
(b) Cite without discussion, any two case laws involving mandamus as you were taught. =5Marks