Tamil Nadu Civil Judge (Prelims) 2023

Tamil Nadu Public Service Commission · Preliminary Examination (Objective Type) · 19 August 2023 · Booklet CJP245 · 100 questions

Preliminary Examination

Duration: Three Hours · Maximum Marks: 100 · All the questions carry equal marks. 0.10 marks will be deducted for each incorrect answer.

1. Right to an office is?
   (A) A Civil Right
   (B) A Contractual Right
   (C) A Fundamental Right
   (D) A Constitutional Right

2. All suits are to be instituted in the?
   (A) High Court
   (B) Principal Civil Court of original jurisdiction
   (C) Court of lowest grade competent to by it
   (D) Revenue Court

3. What is the remedy of a third party who is dispossessed in execution of a decree?
   (A) To sue for possession
   (B) To apply to the executing court
   (C) To seek remedy from the Appellate Court
   (D) None of the above

4. What is the duty of the Court if there is no one willing to be the Guardian of the Minor defendant in a suit?
   (A) It can proceed exparte
   (B) It has to dismiss the suit
   (C) It has to appoint its officer to be Guardian
   (D) None of the above

5. A gift of immovable property effected by a deed of gift but brought about by undue influence of the donee, though the donor acted voluntarily in making it:
   (A) Is valid and binding
   (B) Is void
   (C) Is voidable at the donee's option
   (D) Is voidable at the donor's option

6. Under the provisions of the Transfer of Property Act, 1882, an easement cannot be transferred apart from the dominant heritage:
   (A) the statement is true
   (B) the statement is false
   (C) the statement is partly true
   (D) none of the above

7. Fraudulent transfer is dealt with under:
   (A) section 49 of the Transfer of Property Act, 1882
   (B) section 50 of the Transfer of Property Act, 1882
   (C) section 51 of the Transfer of Property Act, 1882
   (D) section 53 of the Transfer of Property Act, 1882

8. Every transfer of immovable property made with intent to defeat or delay the creditors of the transferor, shall be voidable:
   (A) At the option of creditor so defeated or delayed
   (B) at the option of debtor
   (C) at the option of court
   (D) none of the above

9. How the preventive relief is granted under the Specific Relief Act, 1963 by the court?
   (A) At the discretion of the court by injunction perpetual
   (B) At the discretion of the court by injunction temporary
   (C) Both (A) and (B) are correct
   (D) None of the above

10. What recourse is available to a person if he is dispossessed, without his consent, of immovable property otherwise than in due course of law:
   (A) He may, by criminal suit, recover possession thereof
   (B) He or any person through whom he has been in possession or any person claiming through him may, by a civil suit, recover possession thereof
   (C) He may, by mortgage suit, recover possession thereof
   (D) He may, by money suit, recover possession thereof

11. The following contracts cannot be specifically enforced, namely:-

(A) A contract, the performance of which involves the performance of a continuous duty which the court cannot supervise
(B) A contract, the performance of which involves the performance of an occasional duty which the court cannot supervise
(C) A contract, the performance of which involves the performance of a periodic duty which the court cannot supervise
(D) None of the above

12. Whether any appeal is allowed against the order or decree passed in any suit instituted under section 6 of the Specific Relief act, 1963:

(A) Yes, appeal is allowed
(B) No appeal shall lie from any order or decree passed in any suit instituted under this section
(C) Appeal can be allowed, if permitted by the court, which gave the order or decree
(D) None of the above

13. When can a Court direct rescission of a contract?

(A) Where the contract is voidable or terminable by the plaintiff
(B) Where plaintiff becomes incapable of performing it
(C) Where the contract is illegal at its inception
(D) None of the above

14. Which is not an example of "Promissory Note"?

(A) "I acknowledge myself to be indebted to B in Rs. 1,000, to be paid on demand, for value received"
(B) "Mr. B, I.O.U Rs. 1,000"
(C) "I promise to pay B or order Rs. 500"
(D) None of the above

15. All offences under Chapter XVII shall be tried by:

(A) A Metropolitan Magistrate
(B) A Judicial Magistrate of the first class
(C) Either (A) or (B)
(D) None of the above

16. A promissory note, bill of exchange or cheque payable to order, is negotiable:

(A) By endorsement and delivery thereof
(B) By the holder by endorsement
(C) By delivery thereof
(D) None of the above

17. Which section of the Negotiable Instruments Act defines the words, 'Negotiable Instrument':

(A) Section 15
(B) Section 14
(C) Section 13A
(D) Section 13

18. Under which of the following, any provision of the Indian Contract Act, would be void, if inconsistent with the fundamental rights?

(A) Article 11 of the Constitution of India
(B) Article 12 of the Constitution of India
(C) Article 13 of the Constitution of India
(D) Article 14 of the Constitution of India

19. Section 69 of the Indian Contract Act, 1872 embodies which of the following doctrines?

(A) Doctrine of frustration
(B) Doctrine of unjust enrichment
(C) Doctrine of implied contract
(D) None of these

20. A contracts with B to deliver to him 250 kilograms of rice before the 1st of May. A delivers 130 kilograms only before that day and none after. B retains the 130 Kilograms after the 1st of May.

(A) He is not bound to pay A for them
(B) He is bound to pay A for them
(C) He is partially bound to pay A for them
(D) None of these

21. Controller as defined under Section 2(3) of the Tamil Nadu Buildings (Lease and Rent Control) Act, is a?

(A) Civil Court
(B) Revenue Court
(C) Persona Designata
(D) Criminal Court

22. What is the time limit prescribed for entering into an agreement for tenancies in existence at the time of commencement of the Tamil Nadu Regulation of Rights and Liabilities of Landlords and Tenants Act 2017?

(A) one year
(B) 90 days
(C) 165 days
(D) 575 days

23. A tenancy that has expired and not renewed for a further period and the landlord has not demanded possession is deemed to be extended for a period of

(A) One year
(B) Six years
(C) Six months
(D) 18 months

24. The Electoral College for election of President of India consists of

(A) Members of both the houses of Parliament and Legislature Assemblies of the States
(B) Members of the Indian Administration Service
(C) Members of the Central and State Cabinets
(D) Members of the Legislative Councils of the States

25. A Judge of the High Court may resign by a letter addressed to

(A) Chief Minister of the State
(B) Governor of the State
(C) Chief Justice of India
(D) President of India

26. X was accused of a criminal offence by Y and the case pended on for 12 years, during which not a single witness was produced by the prosecution. Which of the following article of the constitution of India, in this case, was violated?

(A) Article 12, Constitution of India
(B) Article 15, Constitution of India
(C) Article 21, Constitution of India
(D) Article 25, Constitution of India

27. Extra territorial offences are mentioned under :

(A) Section 3 of IPC
(B) Section 2 of IPC
(C) Section 4 of IPC
(D) None of the above

28. Which is wrong in respect of wrongful gain?

(A) Gain of some property
(B) Property to which a person is not legally entitled
(C) Gain by way of unlawful means
(D) None of the above

29. Which statement is not correct in regard to counterfeit?

(A) Who causes one thing to resemble another
(B) To imitate it exactly
(C) Knows that by act deception will be practised
(D) Intend by means of resemblance to practice deception

30. The purpose of examination of the accused under Sec 313 of Cr.P.C. is:

(A) To personally explain to the accused the circumstances appearing in the evidence against him
(B) To enable accused to know his defence
(C) To make accused aware of charges
(D) All the above

31. Generally, a copy of FIR is filed by the Police Officer to the Magistrate to take cognizance in compliance with :

(A) Section 156 of Cr.P.C.
(B) Section 157 of Cr.P.C.
(C) Section 158 of Cr.P.C.
(D) Section 159 of Cr.P.C.

32. The principle of proving beyond reasonable doubt applies to :

(A) Criminal proceedings only
(B) Civil proceedings only
(C) Evidence law
(D) Both civil and criminal proceedings

33. Section 68 of Evidence Act sets out the mode of proving?

(A) A Will only
(B) Will and Instruments requiring attestation by 2 witnesses
(C) A negotiable instrument
(D) Unregistered instrument

34. In a Parliamentary Democracy real powers of the state are vested in the

(A) President
(B) Prime Minister
(C) Council of Ministers headed by the Prime Minister
(D) Parliament

35. Five Great epics in Tamil are
(A) Silapathikaram, Manimegalai, Seevaga Sinthamani, Valayapathi, Kundalakesi.
(B) Silapathikaram, Kamba Ramayanam, Thirukkural, Valayapathi, Kundalakesi.
(C) Thirukkural, Manimegalai, Naladiyar, Thiruppavai, Kundalakesi.
(D) Silapathikaram, Panniru Thirumurai, Seevaga Sinthamani, Periapuranam, Kundalakesi.

36. Retention of records provided by law can be done
(A) by preserving the documents in a physical form
(B) by preserving the documents in a electronic form
(C) by printing the documents in high quality paper
(D) by recording the contents on a voice recorder

37. Power to prescribe rules in respect of Electronic signatures is vested in the
(A) State Government
(B) Central Government
(C) Electronic Corporation of India
(D) President of India

38. Attachment made under the Criminal Law Amendment Ordinance 1944 is normally valid for a period of:
(A) 3 years
(B) 90 days
(C) 1 year
(D) None of the above

39. A sexual assault committed on a child becomes an aggravated sexual assault if it is committed by:
(A) Police Officer in course of his duties
(B) Another Child
(C) Brother or Sister of the child
(D) None of the above

40. The following provisions of the protection of children from sexual offences Act 2012 imposes an obligation on certain persons to report suspected offences against children?
(A) Section 22
(B) Section 20
(C) Section 30
(D) Section 21

41. Shared household under the provisions of the protection of women from domestic violence Act 2005 includes :
(A) The house belonging to the woman
(B) The house belonging to the husband of the woman
(C) Belonging to the joint family of which the husband is a member
(D) All the above

42. Anand was born 2 years after his father's marriage; his mother is 5 years younger than his father, but 20 years older than Anand, who is 10 years old; at what age did his father got married;
(A) 23 years
(B) 24 years
(C) 25 years
(D) 28 years

43. Prem ate 100 apples in five days, each day eating 6 more than the previous day. How many apples did he eat on the first day?
(A) 8
(B) 7
(C) 6
(D) 5

44. Who can be the Chairperson of the National Human Rights Commission?
(A) Who has been a Chief Justice of India or a Judge of the Supreme Court
(B) Who has been a Chief Justice of a High Court
(C) Who has been a Judge of a High Court
(D) Who has been an Attorney General of India

45. Assaulting or obstructing public servant when suppressing riot, etc. is dealt under :
(A) Section 150 of IPC
(B) Section 151 of IPC
(C) Section 152 of IPC
(D) Section 153 of IPC

46. ———————— permits joint trial of several persons.
(A) Section 221 of Cr.P.C.
(B) Section 222 of Cr.P.C.
(C) Section 223 of Cr.P.C.
(D) Section 224 of Cr.P.C.

47. As per Section 108 of the Indian Evidence Act, a person is presumed to be dead, if he is not traceable for ————— years;

(A) 5 years
(B) 6 years
(C) 7 years
(D) 10 years

48. Code of Civil Procedure does not extend to?

(A) Whole of India
(B) State of Nagaland & Tribal Areas
(C) Jammu & Kashmir
(D) Ladakh

49. Decree includes?

(A) An order of dismissal for default
(B) All appealable orders
(C) An order rejecting plaint
(D) An order returning the plaint

50. Maximum rate of interest allowable in ordinary suits post decree is?

(A) Twelve percent
(B) Nine percent
(C) Six percent
(D) Fifteen percent

51. Which of the following are exempt from attachment?

(A) Tools of Artisans
(B) Cheques
(C) Movable Property
(D) None of the above

52. What could a Court Subordinate to High Court do when it is of the opinion that an Act or Ordinance or Regulation is unconstitutional?

(A) Declare it void
(B) Refer the question to the High Court
(C) Leave the question open
(D) None of the above

53. Before the commencement of the Transfer of Property Act, 1882, the transfer of immovable properties in India were governed by the:

(A) Principles of English law and equity
(B) Indian Registration Act, 1908
(C) British State of Goods Act, 1880
(D) Indian Contract Act, 1872

54. In case of usufructuary mortgage the mortgagee is placed in possession and has a right to enjoy the rents and profits:

(A) until the debt is paid
(B) till the contract is rescinded
(C) only (B) is correct
(D) none of the above

55. The principle of lis pendens embodied in section 52 of the Transfer of Property Act, 1882 pertains to:

(A) bonafide purchase
(B) public policy
(C) auction sale
(D) none of the above

56. Rule of lis pendens is applicable to suits for specific performance of contracts to transfer immovable property. The statement is:

(A) true
(B) false
(C) partly true
(D) none of the above

57. Which of the following properties can be transferred under the Transfer of Property Act, 1882?

(A) Salary of a public officer
(B) Right to sue
(C) Both (A) and (B)
(D) Neither (A) nor (B)

58. A lease exceeding one year or reserving a yearly rent under Section 107 of the Transfer of Property Act can be made?

(A) By a registered instrument
(B) By oral agreement coupled with Delivery of possession
(C) By unregistered instrument
(D) None of the above

59. The specific performance of a contract shall be enforced by the court:

(A) Subject to the provisions of the Indian Contract Act, 1872
(B) Subject to the provisions of the Insolvency and Bankruptcy Code, 2016
(C) Subject to the provisions contained in section 11(2), section 14 and section 16 of the Specific Relief Act, 1963.
(D) None of the above

60. Specific relief can be granted only for the purpose of:

(A) Enforcing individual civil rights
(B) Enforcing individual fundamental rights
(C) Enforcing individual criminal rights only
(D) Enforcing individual civil rights as well as criminal rights

61. Is there any time limit for filing suit under Section 6 of the Specific Relief Act, by a person who is dispossessed of immovable property, without his consent otherwise than in due course of law, to recover possession thereof?

(A) Six months from the date of dispossession
(B) No time limit is prescribed
(C) Within a reasonable time limit, suit may be filed
(D) None of the above

62. Which of the following Sections of the Specific Relief Act 1963 empower the Court to award compensation in lieu of Specific Performance?

(A) Section 21
(B) Section 22
(C) Section 16
(D) Section 12

63. In an appeal by the drawer against conviction under section 138, the Appellate Court may order the appellant to deposit such sum which shall be a minimum of ————— or compensation awarded by the trial Court:

(A) Ten per cent of the fine
(B) Fifteen per cent of the fine
(C) twenty per cent of the fine
(D) Twenty five per cent of the fine

64. The interim compensation payable under section 143A may be recovered as if it were a fine;

(A) By execution as if it is a decree of a civil court
(B) As per the provisions of Income Tax act, 1961
(C) As per the provisions of the Code of Criminal Procedure, 1973
(D) None of the above

65. A cheque is a ————— drawn upon a specified banker and payable on demand:

(A) Bill of exchange
(B) Hundi
(C) Promissory note
(D) None of the above

66. What is NOT true about the "bills of exchange":

(A) it is an instrument in writing
(B) it is signed by the maker
(C) certain sum of money is mentioned on the instrument
(D) it contains a conditional order

67. Which among the following is a negotiable instrument?

(A) Banker's Demand Draft
(B) Currency note
(C) Letter of Credit
(D) Letter of guarantee

68. Where there are two courts which would normally have the jurisdiction, an agreement to file suit in one of those courts alone, is:

(A) Void
(B) Valid
(C) Voidable
(D) Unenforceable

69. A contract is not frustrated:

(A) by commercial impossibility
(B) by imposition of Government restrictions or orders
(C) by destruction of subject matter of contract
(D) all the above

70. The Tamil Nadu Buildings (Lease and Rent Control) Act, will not apply to a building which is not more than ————— years old?

(A) 25 years
(B) 15 years
(C) 5 years
(D) None of the above

71. In order to seek eviction under Section 14(1)(b) of the Tamil Nadu Buildings (Lease and Rent Control) Act, the landlord should show that the building is?

(A) Old and dialipitated
(B) Old and need not be dialipitated
(C) Need not be old or dialipitated
(D) None of the above

72. Right to property is a

(A) Fundamental right
(B) Contractual right
(C) Constitutional right
(D) None of the above

73. Which Article of the constitution of India empowers the legislature to impose reasonable restrictions?
(A) Article 14
(B) Article 16
(C) Article 19
(D) Article 21

74. National capital territory of Delhi was created by ————— Article of the Constitution of India?
(A) 239AA
(B) 239A
(C) 238
(D) None of the above

75. To which of the following, the law of presumption applies?
(A) Volenti non fit injura
(B) Mens rea
(C) De minimus non curat lex
(D) None of them

76. Wrongful confinement in secret is dealt under
(A) Section 344 of IPC
(B) Section 345 of IPC
(C) Section 346 of IPC
(D) Section 347 of IPC

77. Which section under IPC says that 'He' includes 'She' also:
(A) Section 8
(B) Section 9
(C) Section 7
(D) Section 10

78. The word 'Person' includes :
(A) Any group of persons
(B) Company or association or body of persons
(C) Corporate person
(D) None of the above

79. 'A' intentionally causes 'Z's' death, partly by illegally omitting to give food to 'Z' and partly by beating 'Z'. 'A' has committed :
(A) Grievous hurt
(B) Culpable homicide
(C) Murder
(D) Only hurt

80. Section 162 of Cr.P.C provides protection to :
(A) Accused
(B) Witnesses
(C) Police Officer
(D) Magistrate

81. The period of limitation to file an application for setting aside the declaration of forfeiture is given under:
(A) Section 95 of Cr.P.C.
(B) Section 96 of Cr.P.C.
(C) Section 97 of Cr.P.C.
(D) Section 98 of Cr.P.C.

82. The power to direct investigation under section 156(3) is with :
(A) Any Magistrate
(B) Session Judge
(C) Both (A) and (B)
(D) Neither (A) nor (B)

83. Normally no Court shall take cognizance of an offence which is punishable only with a fine after the expiry of :
(A) 6 Months
(B) 12 Months
(C) 3 Years
(D) No such limitation

84. The exclusion of oral evidence enumerated under Section 92 of Evidence Act will not apply to:
(A) Proof of any invalidating circumstance
(B) Varying the terms of the document
(C) Adding to the terms of the document
(D) Contradicting the terms of the document

85. The presumption under Section 85B relating to electronic records is?
(A) Absolute
(B) Rebuttable
(C) Partial
(D) None of the above

86. The Insignia in the Flag of the Pallava Dynasty was
(A) Tiger
(B) Fish
(C) Lion
(D) Peacock

87. Who invented cell phone and in which year?

(A) Martin Cooper 1973
(B) Martin Luther 2001
(C) Martin David 1990
(D) Martin Motorola 1993

88. Leading question under Indian Evidence Act can be asked during:

(A) Chief Examination
(B) Cross-Examination
(C) Re-Examination
(D) None of the above

89. Which of the following acts as repository of the Digital Signature Certificates issued under the Information Technology act?

(A) The Controller
(B) The Registrar
(C) Reserve Bank of India
(D) National Stock Exchange

90. Which of the following sections of Information Technology Act deals with penalty for offences relating to computers?

(A) Section 43A
(B) Section 43
(C) Section 44
(D) Section 46

91. The major change introduced in criminal jurisprudence by the Criminal law (amendment) ordinance 1944 is:

(A) To provide for arrest of a woman
(B) To provide for attachment of property of the person accused of certain offences
(C) Making a set of offences non bailable
(D) None of the above

92. The Burden of proving the guilt in a prosecution under the protection of children from sexual offences Act 2012 is:

(A) On the prosecution
(B) There is a presumption of guilt
(C) On the de facto complainant
(D) On the person accused

93. Section 33 of the protection of children from sexual offences Act 2012 contains an absolute prohibition regarding disclosure of the identity of the child. The above statement is:

(A) Partly Correct
(B) Full Correct
(C) Fully Incorrect
(D) None of the above

94. Ananth owes money to Ramesh for repairing the watch, if Ramesh retained the watch lawfully for the security for his debt and Ananth took the watch out of Ramesh's possession.

(A) Ananth is guilty of committing criminal misappropriation of property
(B) Theft
(C) Criminal Breach of Trust
(D) Cheating

95. What is the period of limitation provided under section 14-A of the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act for preferring an appeal challenging the judgment, sentence or order passed under the said Act?

(A) 15 days
(B) 30 days
(C) 60 days
(D) 90 days

96. The practice of watching or capturing the image of women engaging in a private act in circumstances where she would usually have the expectation of not being observed either by the perpetrator or by any other person at the behest of the perpetrator or disseminates such image is called ——————— under Indian Penal Code.

(A) Voyeurism
(B) Stalking
(C) Sexual abuse
(D) Frotteurism

97. Nothing is an offence which is done by a child under ———— years of age:

(A) 3 years
(B) 7 years
(C) 12 years
(D) 16 years

98. Government of India, in the year 2020 banned 59 Chinese mobile apps including Tik Tok, by invoking ——————— of the Information Technology Act 2000:

(A) Section 66A
(B) Section 67A
(C) Section 69A
(D) Section 70A

99. Procedure when corporation or registered society is an accused is given in:

(A) Section 305 Cr.P.C.
(B) Section 387 Cr.P.C.
(C) Section 280 Cr.P.C.
(D) Section 289 Cr.P.C.

100. Notwithstanding anything contained in the Code of Criminal Procedure, 1973, the offence under sub section (1) of section 31 of the Protection of Women from Domestic Violence Act, 2005, shall be:

(A) Cognizable and bailable
(B) Cognizable and non-bailable
(C) Non-Cognizable and non-bailable
(D) Non-Cognizable and bailable