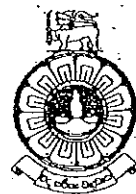


**THE OPEN UNIVERSITY OF SRI LANKA
FACULTY OF HUMANITIES & SOCIAL SCIENCES
DEPARTMENT OF LEGAL STUDIES
LLB DEGREE PROGRAM 2023/2024
LEVEL 5
LLU5709 ADMINISTRATIVE LAW
CONTINUOUS ASSESSMENT TEST -I
DURATION ONE (01) HOUR**



Date: 05th November 2024

Time: 1.30 pm-2.30 pm

Answer **one (01)** question only.

Illegible handwriting will be penalized.

1. The Urban Planning Act 2020 grants power to the Minister for Housing and Urban Development to issue directives on sustainable urban development practices, including the strategies for energy efficiency, wastewater management and schemes for climate change impacts, such as floods, landslides, Tsunami etc. Section 25 of the Act states the minister shall appoint a committee to enquire into all impacts regarding the implementation of the specific strategies. Section 25 further states that the said committee shall consult local councils and all other stakeholders to prepare an assessment report outlining the impact of any directive to be issued by the minister. The committee is required to submit the report to the minister one month before issuing such directives.

(a) The Minister issued a directive that the local councils to demolish any building constructed after 2018 that does not comply with new eco-friendly construction standards.

(b) The committee invited only the local council and the residents of the area for a public consultation one week before sending the report to the minister.

Randeep, a well-known property developer argues that this directive has significant implications on his existing property developments commenced in 2020. He wishes to know whether he could challenge the above directive.

Advice Randeep based on what grounds he could challenge the above directive. Support your answer with Administrative Law principles and decided cases. (20 marks)

2. "The doctrine of ultra vires best respects the concept of sovereignty of Parliament and is rooted in the constitutional responsibility of the courts to uphold the rule of law."

Murray, Philip, On the Doctrinal Foundations of Administrative Law (March 3, 2024). University of Cambridge Faculty of Law Research Paper No. 7/2024. Available at SSRN: <https://ssrn.com/abstract=4746539> or <http://dx.doi.org/10.2139/ssrn.4746539>

Critically discuss the above statement focusing on Constitutional foundation of judicial review.

(20 Marks)

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