

**THE OPEN UNIVERSITY OF SRI LANKA**  
**FACULTY OF HUMANITIES AND SOCIAL SCIENCE**  
**DEPARTMENT OF LEGAL STUDIES**  
**BACHELOR OF LAWS DEGREE – LEVEL 03**  
**CONTINUOUS ASSESSMENT TEST II 2021/2022**  
**LLU3703/LWU1411 – INTRODUCTION TO THE LAWS OF SRI LANKA**  
**DURATION – ONE (01) HOUR**



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Date: 11.11.2022

Time: 09.30 a.m. – 10.30 a.m.

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Answer one (01) question only.

Candidates will be penalized for illegible handwriting.

01. “As per the Proclamation of 23<sup>rd</sup> of September 1799, the common law of Sri Lanka remains the Roman Dutch Law subject to deviations made by the legislature. However, the courts at times have deviated from the said position by incorporating several principles of English law by Judicial pronouncements”

Do you agree with the above statement? Discuss the instances the courts have introduced principles of English law in to our legal system by judicial pronouncements.

02. Karthik was born in Canada in 1980. His parents were Tamils of Jaffna. When he was 10 years old, they came back to Sri Lanka and moved to Jaffna. He had his school education at National Hindu College Jaffna. After his school education he entered the University of Kelaniya and completed his higher education. Then he joined DPC bank, Bambalapitiya as an Assistant Manager. In 2005 Karthik married Susaritha who was a staff member in the same bank. She was native of Jaffna and her parents were also Jaffna Tamils. After marriage they live in a house in Kirulapone that was gifted to them by Susaritha’s parents. By the marriage they had two children namely Anbihai and Anbahan. In 2010 Susaritha got a transfer to Jaffna branch and Karthik also tried to get a transfer to Jaffna Brach but failed. Then Susaritha and children moved to Jaffna and lived with Karthik’s parents. Karthik stayed at Colombo. Then in 2015, Karthik built a new house in Mallavi, Jaffna and asked his parents to live with Susaritha and children. After that, Karthik bought a land in Nugegoda with the intention of starting a business. He regularly sent money to his wife and children and used to go to Jaffna in every month to see his family. In 2021 Karthik suddenly died in a motor accident in Puttalam while travelling to Jaffna.
- A) Susaritha wants to know whether Karthik is governed by Tesawalamai Law or General Law. Advise her.
- B) Would your answer be different if Karthik’s native town is Trincomalee and his family lived there?