

The Open University of Sri Lanka
Faculty of Humanities and Social Sciences
Department of Legal Studies
Bachelor of Laws Degree- Level 4
Continuous Assessment Test II- 2021-2022
LLU4707/LWU2313- Family Law



Date: 16.09.2022

Duration: 09.30 am-10.30 am

Answer one (01) question only.

Candidates will be penalized for illegible handwriting.

01. The duty to support one's spouse and children is an obligation recognized by the common law as well as statutory laws. In order to ensure the welfare of the family, the Legislature from time to time has made intervention by enacting laws.

Discuss the development of the Sri Lankan law relating to spousal and parental obligation of support, citing relevant statutory provisions and case law.

(20 marks)

02. Sumana and Sarath had been married for more than ten years. There are two children from the said marriage. Of late, marital relationship between them deteriorated and Sumana filed a case in the District Court. By the Complaint, she requested a judgment and a decree dissolving the marriage and to obtain the custody of the children. Sumana claimed in her complaint that Sarath had an extra marital relationship with a woman, and that he is an alcoholic, and therefore, he is not a fit and proper person to have the custody of the children. Sarath, on the other hand, pleaded that while Sumana has no sufficient income to look after and nourish the children, but he has sufficient income to do so, and pleaded that he be awarded custody of the children.

Assume you are the judge in this case. Write a judgment regarding the custody of the children. Your judgment should contain a deliberation of the applicable legal principles and relevant judicial pronouncements that you consider in making your determination regarding the custody of the children.

(20 marks)

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