

The Open University of Sri Lanka
Faculty of Humanities and Social Sciences
Department of Legal Studies
LLB Degree Programme 2021/22
Continuous Assessment Test 2
LLU5810 – Land Law
Duration: ONE (01) hour



Date: September 13, 2022

Time: 3.30 p.m to 4.30 p.m

Total number of questions: 02

Each question carries 20 marks.

Answer **ONE** question only.

1. "There is no doubt that the Prescription Ordinance contains a complete statement of our law on the subject and that recourse can not be had to the principles of the Roman Dutch common law"

Peris G.L, (2005) The Law of Property in Sri Lanka, Vol 1, Stamford Lake Publication at p. 78.

Do you agree with the above statement? Support your answer with the relevant statutory provisions and case law.

(20 Marks)

2. "The remedy of a Paulian Action is available, in my view, to a plaintiff who has a claim for unliquidated damages, which claim is subsequently converted to a decree in his favour prior to the institution of the Paulian Action, even though the fraudulent alienation was prior to the date of such decree."

Wimalaratne J in *Jayasuria v. Jeeris* (1973) 76 NLR 481 at p. 487

Critically evaluate the above statement with reference to the relevant authorities concerning the application of Paulian Action in Sri Lanka.

(20 Marks)

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