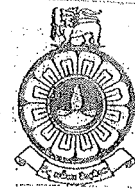


THE OPEN UNIVERSITY OF SRI LANKA
FACULTY OF HUMANITIES AND SOCIAL SCIENCES
DEPARTMENT OF LEGAL STUDIES
LL.B DEGREE PROGRAMME – LEVEL 3
CONTINUOUS ASSESSMENT TEST II -2022/2023
LLU3904 – LEGAL METHOD
DURATION – 01 HOUR



DATE: 03.12.2023

TIME: 11.30 A.M -12.30 P.M

Answer ONE (01) question only.

Candidates will be penalized for illegible handwriting.

01. "English equity is of course a system of law formerly administered by the courts of chancery and imported into Ceylon law. As such it is not a separate source of law, but a separate branch of law, the source being the decisions of the courts of chancery and the corresponding decisions of the Supreme Court of Ceylon as modified by local legislation."

W.I.Jennings and H.W.Tambiah, *The Dominion of Ceylon* (Stevens, London 1952) 192.

In light of above statement examine the importance of equity as a source of law in Sri Lanka. Explain your answer with appropriate examples.

(20 Marks)

02. "Every community has certain practices which a large body of its members have been in the habit of following over a long period. But not necessarily all customs are recognized by the courts of that community.... Often it is not until an issue is actually taken to the courts that it is possible to say whether it is a legal custom or not."

L.J.M. Cooray, *An Introduction to the Legal System of Sri Lanka* (A Stamford Lake Publication, 2011) 189

Critically evaluate the above statement with the reference to the customs as a source of law in Sri Lanka. Illustrate your answer with relevant case laws and appropriate examples.

(20 Marks)

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