



THE OPEN UNIVERSITY OF SRI LANKA
FACULTY OF HUMANITIES AND SOCIAL SCIENCES
DEPARTMENT OF LEGAL STUDIES
BACHELOR OF LAWS DEGREE- LEVEL 3
CONTINUOUS ASSESSMENT TEST II- 2022/23
LLU3703 INTRODUCTION TO THE LAWS OF SRI LANKA
DURATION: ONE (01) HOUR

Date: 03.12.2023

Duration: 09.30 am - 10.30 am

Total number of questions: 02

Answer ONE (01) question only.

Candidates will be penalized for illegible handwriting.

01. *"The Tesawalamai are not the customs of a race or a religion common to all persons of that race or religion in the island; they are the customs of a locality and apply only to Tamils of Ceylon who are inhabitants of a particular province."*

Ennis J in *Spencer v. Rajaratnam* (1913) 16 N.L.R 321

In light of the above statement discuss the nature and the application of the Tesawalamai law. Support your arguments with decided cases.

(20 Marks)

02. *"All matters with reference to any trust, or with reference to any obligation in the nature of a trust arising or resulting by the implication or construction of law, for which no specific provision is made in this or any other enactment, shall be determined by the principles of equity for the time being in force in the High Court of Justice in England."*

Section 2 of the Trusts Ordinance No: 9 of 1917

The introduction of English law into the Sri Lankan Legal System aimed to modernize and effect social change by the British. This was achieved through legislation and has had a significant impact on the Sri Lankan legal landscape. Discuss.

(20 Marks)