

THE OPEN UNIVERSITY OF SRI LANKA
 FACULTY OF HUMANITIES AND SOCIAL SCIENCES
 DEPARTMENT OF LEGAL STUDIES
 LL.B DEGREE PROGRAMME 2022/2023
 LEVEL 4
 CONTINUOUS ASSESSMENT TEST I
 LLU4707 – FAMILY LAW
 DURATION-ONE (01) HOUR



DATE: 25th September 2023

TIME: 09.30 a.m. – 10.30 a.m.

The candidates will be penalized for Illegible handwriting.

Total number of questions 02

Answer ONE (01) question only.

Please note that it is mandatory to discuss the answers for the questions chosen by you with reference to decided cases and statutory provisions.

1. Gajadeepan was a resident of Jaffna and he fell in love with Meenakshi who lived in Batticaloa. Since Gajadeepan and Meenakshi were not of the same caste, Gajadeepan's parents objected to their relationship. Thereafter Gajadeepan went to Batticaloa and started a business. Meenakshi who came along with him helped him with his business. The business became successful, and they decided to get married. They held a Thali ceremony at Meenakshi's residence in Batticaloa in 2019. After the marriage, they lived as husband and wife in Batticaloa. They had a son in 2020. However, one of Meenakshi's friends has told Meenakshi that the marriage between Gajadeepan and Meenakshi is not valid, because it was not registered.

Discuss the legal validity of the following referring to the above facts.

- i. Gajadeepan and Meenakshi want to know the legal validity of their marriage. (15 Marks)
- ii. Would your answer be different if all parties were Kandyan? (05 Marks)

2. "In the Sri Lankan law, the presumption of marriage by cohabitation and repute operates as a method by which a man and a woman living together as husband and wife could get their union legalized as a marriage."

Do you agree with the above statement? Critically discuss the above statement and support your argument with decided cases.

(20 Marks)

-Copyright reserved-