THE OPEN UNIVERSITY OF SRI LANKA
FACULTY OF ENGINEERING TECHNOLOGY
DEPARTMENT OF MATHEMATICS AND PHILOSOPHY OF ENGINEERING
BACHELOR OF TECHNOLOGY HONOURS IN ENGINEERING/
BACHELOR OF INDUSTRIAL STUDIES HONOURS/
BACHELOR OF SOFTWARE ENGINEERING HONOURS- LEVEL 3
FINAL EXAMINATION(OBT) - 2022/2023 LLJ3245 INTRODUCTION TO LAWS OF SRI LANKA
DURATION – TWO HOURS

190

DATE: 30th of January 2024 **TIME: 1.30 p.m to 3.30 p.m**

Total Number of questions: 06

Answer four (04) questions only

Each question carries 25 Marks

Candidate will be penalized for illegible handwriting.

1. Sources of law can be defined as authorities from which the laws derive their force or from where the law can be found. To have a proper understanding of law and society as a citizen, you should be able to recognize relevant sources of law in Sri Lanka.

   Discuss the above statement considering five sources of law in Sri Lanka.

   (25 Marks)

2. (a) The English law was introduced into the Sri Lankan legal system mainly by two methods.

   Identify those two methods and discuss them with relevant examples.

   (10 Marks)

   (b) Jude and Christina married in 2001 under the General law of Sri Lanka and they had two children. In 2003, Jude met Mary at his workplace and started a relationship. In 2005 without getting a divorce from his wife, Jude and Mary converted into Islam and married under Muslim law.

   Christina seeks legal advise from you regarding the validity of the marriage between Jude and Mary. Support your answer with relevant case law.

   (15 Marks)

3. Suwasetha (Pvt) Ltd manufactured a new hair product called "Black and Long" which can be used as a hair lengthening application. The company placed an advertisement of the new product in newspapers with the inscription as follows;

"Rs.100,000/- reward will be paid by Suwasetha (Pvt) Ltd to any person who loses hair or suffers any damage after having used "Black & Long" 3 times daily for 6 days, as prescribed."

Sama who is planning to participate in a pageant show on a television channel in the near future, bought one bottle of "Black & Long" and applied the same in the prescribed manner. On the seventh day after the application of the product, she took a bath as per the instructions given by the company. When she was having a bath, she lost nearly one-third of her long hair.

Once Sama asked for the Rs.100,000/= reward for the damage caused by using the product, Suwasetha (Pvt) Ltd refused to pay the reward by mentioning that there was no valid contract between Sama and the company.

I. Discuss five essential requirements to form a valid contract between parties.

(15 Marks)

II. According to the given scenario, can Sama take legal action against Suwasetha (Pvt) Ltd? Support your answer with relevant case law.

(10 Marks)

4. (a) **Identify** and **discuss** the relevant Constitutional provisions which have been violated in the following scenarios.

I. When Amal was on his way home from his workplace, suddenly a police vehicle came and arrested him in connection with a recent robbery that happened in the area. While he was in custody, he was severely beaten with batons.

II. Jayani is a candidate who applied for an executive-level position in a government institution. Her friend Saman also applied for the same. However, when the results were released, Jayani got to know that her application was rejected only due to her pregnancy.

III. Kaya and few of her friends took part in a public protest to show their disappointment towards newly implemented government policies. While they were walking on the road with boards in hand, police arrested Kaya by saying that statements written on the board were inducing the public against the government.

(5 x 3 = 15 Marks)

(b) "All Fundamental Rights are not absolute rights in Sri Lanka".

Do you agree with the above statement? Discuss your answer with relevant Sri Lankan Constitutional provisions.

(10 Marks)

5. (a) Briefly discuss the concept of separation of power in Sri Lanka with the Constitutional framework.

(10 Marks)

(b)"The concept of supremacy of parliament visualizes the sovereignty of people. Further, people exercise the sovereignty through elected representatives."

Discuss the above statement on features of the concept of parliamentary supremacy and provide your own opinion regarding the application of parliamentary supremacy in Sri Lanka.

(15 Marks)

6. Advise the following parties regarding the court of law and institutions where they should refer their cases. You should discuss the reasons for your advise.

I. Nimal has been living in an abandoned land uninterruptedly for more than 20 years. Now he is suddenly sought to be evicted by a person who claims to be the owner of the said land. Nimal wants to file a legal action to prove his title.

II. Sadun who was the top scorer of a job interview for a government position was not selected for the post in favour of several others who scored less than him. Sadun seeks remedies.

III. A thief broke into Nissanka's house last night and stolen several valuables and escaped. While he was escaping Nissanka recognized the thief as Kamal who was from a nearby neighbourhood. Nissanka wishes to take action against Kamal.

IV. The Minister of sports terminated the working committee of the Foot Ball Association and appointed an interim committee instead to govern the sports activities. Food Ball Association is going to take action against the minister's decision.

V. Mr. Ranasinghe, who owns a construction company, undertook to build a multi-story apartment building for the value of Rs. 400 million. At a later stage, the owners of the apartment building did not make the construction payments as agreed, stating the inferior quality of the construction. Mr.Ranasinghe wants to take action against the company.

(5x5 =25 Marks)

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