(Pages : 2)

Name.................................

Reg. No.................................

FIRST SEMESTER LL.B. (THREE YEAR—UNITARY) DEGREE EXAMINATION, JUNE 2017

CP 02—LAW OF TORTS

(Including Motor Vehicle Act and Consumer Protection Law)

(2015 Admissions)

Time : Three Hours

Maximum : 75 Marks

Part I

Answer any **five** *questions.*
Each question carries 6 marks.

1. "There is no tort with out injury ". Explain

2. Discuss the doctrine of " volenti non fit injuria" with the help of decided cases.

3. Explain the doctrine of" Last opportunity rule "

4. What is meant by " Innuendo" ?

5. Explain the doctrine of sovereign Immunity with the help of decided cases.

6. Discuss the rule in Derry v. Peak and state the tortuous liability for misstatement.

7. Explain the rule in Rylands v. Fletcher.

8. Explain the powers and jurisdiction of Motor Accidents Claims Tribunal.

(5 × 6 = 30 marks)

Part II

Answer any **two** *questions.*
Each question carries 10 marks.

1. The court awarded compensation in connection with a tortuous claim to A, for the injuries sustained from B .After some months 'A'had to have a bone removed from his skull because of the injury he had received. A then brought another action against B in respect of the injury. Will he succeed ? Give reasons.

2. A man hole in a public road was unguarded by the Public authority, though there was a warning board installed . A blind man walking along the road fell into the man hole and suffered injuries. He wants to file a suit against the public authorities ? Advise.

Turn over

3. During an off season sale, the manufacturer of ABC television company offers "a free 10 days holiday package to a foreign Country " to the lucky winner from the first hundred customers. Though A, the customer selected in the lucky dip, the ABC company did not performed their part of the offer. A approaches you to file a complaint before the appropriate consumer forum. Advise.

(2 × 10 = 20 marks)

Part III

Answer any two questions.
Each question carries 12½ marks.

1. Discuss the tort of nuisance. What is the difference between Private nuisance and Public Nuisance ? Explain the defences in the tort of Nuisance .

2. Distinguish between Absolute Privilege and Qualified Privilege as defences in a tort of Defamation with decided cases

3. Discuss the need for Compulsory Insurance under Motor Vehicles Act. What are the consequences on failure to take compulsory Insurance ?

(2 × 12½ = 25 marks)

FIRST SEMESTER LL.B. (THREE YEAR UNITARY) DEGREE EXAMINATION, NOVEMBER 2019

LL.B. (THREE YEAR UNITARY)

CP 02—LAW OF TORTS (Including Motor Vehicle Act and Consumer Protection Law)

Time : Three Hours   Maximum : 75 Marks

Part I

Answer any five of the following.
Each question carries 6 marks.

1. Examine objectives of law of torts.

2. Examine Injuria sine damno.

3. Analyze inevitable accident.

4. Discuss malice.

5. Write on service under CP Act.

6. Discuss MACT.

7. Discuss Donoghue *v.* Stevenson.

8. Explain ubi jus ibi remedium.

(5 × 6 = 30 marks)

Part II

Answer any two of the following.
Each question carries 10 marks.

1. Defendant started a hospital near the plaintiffs hospital and the plaintiff had to reduce the fee accordingly to attract patients. Discuss the remedy if any to the plaintiff.

2. While the driver was taking the jeep for filling petrol in the tank, two strangers took lift in the jeep. Suddenly one of the bolts fixing the right front wheel to the axle gave way toppling the jeep. The two strangers were thrown out and sustained injuries, and one of them died as a consequence of the same. Discuss the remedy to the strangers if any.

3. The conductor of an overcrowded bus invited passengers to travel on the roof of the bus. The driver ignored the fact that there were passengers on the roof and tried to overtake a cart. As a result, a passenger was hit by a branch of tree, fell down, received injury and died. Discuss the liability of both.

(2 × 10 = 20)

Part III

Answer any two of the following.

Each question carries 12½ marks.

1. Examine defences of insurance industry to third party. Under MV Act

2. Analyze the exceptions to Rylands v. Fletcher.

3. Discuss the objectives of CP Act

(2 × 12½ = 25 marks)