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(Pages : 2)

Reg. No.....

Name.....

**B.A. (CRIMINOLOGY) LL.B. [HONS.] B.B.A., LL.B. [HONS.] B.Com., LL.B.
(HONS.) DEGREE EXAMINATION, FEBRUARY 2017**

Third Semester

**FL 5—LAW OF TORTS, MOTOR VEHICLES ACCIDENT LAWS AND CONSUMER
PROTECTION LAW**

(Regular/Supplementary)

[Prior to 2015 Admissions]

Time : Three Hours

Maximum : 75 Marks

Part A

Answer any five questions.

Each question carries 3 marks.

1. Define and explain Torts. Distinguish between tort and crime, tort and contractual obligations.
2. Discuss the essential elements of tort. Explain fault as a condition of tortious liability and examine the pigeon hole theory.
3. Critically examine the meaning and scope of the maxim "the king can do no wrong".
4. Explain the concept of vicarious liability in torts examining the master servant relationship.
5. What is the rule laid down in Derry V Peak ? Explain.
6. Discuss the meaning and scope of the maxim 'Res Ipsa Loquitur'.

(5 × 3 = 15 marks)

Part B

Answer any three problems.

Each question carries 10 marks.

7. The plaintiff's action was for damages for injuries caused by a drunkard driving a car in which he was a passenger. There was evidence to show that the plaintiff also was drinking, and that he knew that the person driving the car was under the influence of drink. Examine the maintainability of the plaintiff's action.
8. A person walking along the road was knocked down by a motor vehicle which suddenly got out of control of the driver who was preventing it to rush into a shop on the opposite side. The defendant pleaded act of God when sued for damages. Decide.

Turn over

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CL Gary



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