

Reg. No. : .....

Name : .....

**First Semester B.A. LL.B./B.Com. LL.B./B.B.A. LL.B. (Five Year Integrated)  
Degree Examination, August 2024**

**Paper V : LAW OF TORT INCLUDING MOTOR VEHICLES ACCIDENT AND  
CONSUMER PROTECTION LAWS**

**(2011-2019 Admission)**

Time : 3 Hours

Max. Marks : 80

**PART – A**

1. Explain any **five** of the following. Each question carries **2** marks. Answer should not exceed **50** words.
- (a) What is libel? How it differs from slander?
  - (b) What is vicarious liability?
  - (c) Malicious Prosecution.
  - (d) Passing off.
  - (e) Distinguish between tort and contract.
  - (f) Trespass to goods.
  - (g) Rule in Derry v Peak.

**(5 × 2 = 10 Marks)**

**PART – B**

2. Answer any **four** of the following. Each question carries **4** marks. Answer should not exceed **120** words.
- (a) Explain the nature of insurer's liability under Motor Vehicles Act, 1968.
  - (b) Distinguish between Joint and several tortfeasors.

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- (c) Examine the rule in Donogue v Stevenson.
- (d) Explain the maxim Res ipsa loquitor.
- (e) Write note on Unfair Trade Practice.

(4 × 4 = 16 Marks)

PART – C

3. Answer any **four** of the following. Each question carries **6** marks.

- (a) The Plaintiff's and defendant's dogs were fighting. The defendant was beating them in order to separate them. The Plaintiff was looking on. The defendant accidentally hit the plaintiff in the eye causing him a severe injury. The plaintiff files a suit against the defendant. Can the plaintiff succeed?
- (b) Vineesh was running a textile shop in "Mitayi Theruv" Kozhikode. Another person named Sajeev opened an outlet in the vicinity of Vineesh's textile shop. Consequently Vineesh suffered a sharp fall in his income and sued Sajeev for damages. Will Vineesh succeed? Advise.
- (c) Tessy kept some flower pots on the top of his compound wall to make the home more attractive. One of the pots, by blow of wind fell on Felix and caused injury while he was walking along the side of the compound wall which is adjacent to the public road. Felix sued against Tessy. Discuss the liability of Tessy.
- (d) 'X' a farmer diverted the water course to his neighbour Z's land and so to get rid of his land of the mischief and impending calamity. The neighbour Z diverted it towards Y's land who was his immediate neighbour. Y's field were destroyed as they got filled with water. He sued Z and claimed damages. Decide.
- (e) Fatima writes a defamatory letter to Renuka containing defamatory remarks in reference of Renuka in Urdu. Renuka goes to Shahina who knows Urdu and the letter is read over by Shahina to Renuka. Renuka sues Fatima for defamation. Decide.

(4 × 6 = 24 Marks)

PART – D

4. Answer any **three** questions. Each question carries **10** marks.

- (a) Define Nuisance. Distinguish between Public nuisance and private nuisance.
- (b) What is meant by Remoteness of Damage? Explain, with the help of decided cases.
- (c) Write an account of liability of occupiers of dangerous lands and structures.
- (d) Examine the composition, powers and functions of State Commission for Consumer protection.

(3 × 10 = 30 Marks)