

**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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BM King



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Table of Contents Introduction To Criminology Question Papers For Matric

1. Understanding the eBook Introduction To Criminology Question Papers For Matric
 - The Rise of Digital Reading Introduction To Criminology Question Papers For Matric
 - Advantages of eBooks Over Traditional Books
2. Identifying Introduction To Criminology Question Papers For Matric
 - Exploring Different Genres
 - Considering Fiction vs. Non-Fiction
 - Determining Your Reading Goals
3. Choosing the Right eBook Platform
 - Popular eBook Platforms
 - Features to Look for in an Introduction To Criminology Question Papers For Matric
 - User-Friendly Interface
4. Exploring eBook Recommendations from Introduction To Criminology Question Papers For Matric
 - Personalized Recommendations
 - Introduction To Criminology Question Papers For Matric User Reviews and Ratings

- Introduction To Criminology Question Papers For Matric and Bestseller Lists
- 5. Accessing Introduction To Criminology Question Papers For Matric Free and Paid eBooks
 - Introduction To Criminology Question Papers For Matric Public Domain eBooks
 - Introduction To Criminology Question Papers For Matric eBook Subscription Services
 - Introduction To Criminology Question Papers For Matric Budget-Friendly Options
- 6. Navigating Introduction To Criminology Question Papers For Matric eBook Formats
 - ePub, PDF, MOBI, and More
 - Introduction To Criminology Question Papers For Matric Compatibility with Devices
 - Introduction To Criminology Question Papers For Matric Enhanced eBook Features
- 7. Enhancing Your Reading Experience
 - Adjustable Fonts and Text Sizes of Introduction To Criminology Question Papers For Matric
 - Highlighting and Note-Taking Introduction To Criminology Question Papers For Matric
 - Interactive Elements Introduction To Criminology Question Papers For Matric
- 8. Staying Engaged with Introduction To Criminology Question Papers For Matric
 - Joining Online Reading Communities
 - Participating in Virtual Book Clubs
 - Following Authors and Publishers Introduction To Criminology Question Papers For Matric
- 9. Balancing eBooks and Physical Books Introduction To Criminology Question Papers For Matric
 - Benefits of a Digital Library
 - Creating a Diverse Reading Collection Introduction To Criminology Question Papers For Matric
- 10. Overcoming Reading Challenges
 - Dealing with Digital Eye Strain
 - Minimizing Distractions
 - Managing Screen Time
- 11. Cultivating a Reading Routine Introduction To Criminology Question Papers For Matric
 - Setting Reading Goals Introduction To Criminology Question Papers For Matric
 - Carving Out Dedicated Reading Time
- 12. Sourcing Reliable Information of Introduction To Criminology Question Papers For Matric
 - Fact-Checking eBook Content of Introduction To Criminology Question Papers For Matric
 - Distinguishing Credible Sources

13. Promoting Lifelong Learning
 - Utilizing eBooks for Skill Development
 - Exploring Educational eBooks
14. Embracing eBook Trends
 - Integration of Multimedia Elements
 - Interactive and Gamified eBooks

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