

Date of Examination



No of Questions

No. of Pages

GENERAL SIR JOHN KOTELAWALA DEFENCE UNIVERSITY
SELECTION TEST FOR THE ENROLLMENT OF DAY SCHOLARS – INTAKE 39
LLB DEGREE PROGRAMME
SUBJECT RELATED KNOWLEDGE
(MODEL PAPER)

Call Up No: -

NIC No:

Name of the Candidate: -

Instructions:

Duration:

Answer all questions in this paper itself.

Underline the correct answer or write the answer in the blank given as appropriate. 01 mark for each correct answer (No minus marks)

1. Provincial Councils in Sri Lanka were introduced by,
 - a. 17th Amendment to the Constitution
 - b. 18th Amendment to the Constitution
 - c. 13th Amendment to the Constitution
 - d. 12th Amendment to the Constitution

2. Which of the following writs can be issued to compel a public authority to perform a public or statutory duty?
 - a. Mandamus
 - b. Habeas Corpus
 - c. Certiorari
 - d. Quo Warranto

3. Who is the present Chief Justice of Sri Lanka?
 - a. Justice Mohan Pieris
 - b. Justice Priyasath Dep
 - c. Justice Sri Pavan

- d. Justice Jayantha Jayasuriya
4. This is not a disqualification to enter into a valid contract.
- Minority
 - Bankruptcy
 - Disability
 - Mental Illness
5. The age of majority in Sri Lanka is,
- 14
 - 16
 - 18
 - 21
6. This is not a ground to obtain a divorce under the General Law of Sri Lanka.
- Mutual Consent
 - Adultery
 - Incurable Impotency
 - Malicious Desertion
7. The Common Law of Sri Lanka is,
- English Law
 - Roman Law
 - Roman Dutch Law
 - Kandyan Law
8. Under the Maintenance Act of Sri Lanka, a legal action for maintenance should be filed in,
- Magistrate's Court
 - District Court
 - High Court
 - Court of Appeal
9. How many administrative districts are there in Sri Lanka?
- 22
 - 25
 - 26
 - 24
10. The first Sri Lankan to be appointed as the Chief Justice of the Supreme Court of Sri Lanka was,
- Sir Edward Jayathilake
 - Mr. Hema Basanayake
 - Mr. Authur Wijewardhene

- d. Mr. M. Sansoni
11. The governing convention of maritime affairs in the world is,
- The Convention of Law of the Sea
 - The Convention of Territorial Sea and Contiguous Zone
 - The Convention of the High Seas
 - The Convention of the Continental Shelf
12. The intellectual property created by the artists is protected by,
- Patent
 - Registered Designs
 - Copyrights
 - Trademarks
13. The number of members in the United Nations at present is,
- 194
 - 195
 - 193
 - 190
14. Under the Constitution of Sri Lanka, a fundamental rights application should be filled within,
- Thirty Days
 - Thirty one days
 - One Month
 - All of the above
15. The Constitution of Sri Lanka of 1978 is supposed to be a hybrid of,
- American and Indian Constitutions
 - American and French Constitutions
 - French and Indian Constitutions
 - French and British Constitutions
16. Eighteenth Amendment to the Sri Lankan Constitution was passed in the year
- 2011
 - 2012
 - 2010
 - 2009
17. The hierarchy of courts in Sri Lanka in ascending order is,
- Supreme Court, Court of Appeal, High Court, District Court, Magistrate's Court
 - Magistrate's Court, District Court, High Court, Court of Appeal, Supreme Court
 - Supreme Court, High Court, Court of Appeal, Magistrate's Court, District Court
 - Court of Appeal, Supreme Court, High Court, Magistrate's Court, District Court

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- 18 Three main organs of the government are,
- Executive, Legislature, Judiciary
 - Parliament, Supreme Court, President
 - Ministry of Justice, Ministry of Defence, Ministry of Finance
 - President, Chief Justice, Speaker
- 19 Attorneys at Law in Sri Lanka are enrolled by,
- Attorney General's Department
 - Ministry of Justice
 - Supreme Court of Sri Lanka
 - Judiciary Service Commission
- 20 The state that does not have a written Constitution is,
- United States
 - South Africa
 - Britain
 - Vietnam

Read the following paragraphs and answer the questions within the space given below.

Judicial review is a facet of the judicial power of the People, which in terms of our Constitution is exercised ordinarily through the courts. The power of judicial review of administrative action is primarily vested in the Court of Appeal by Article 140 of the Constitution, which empowers that court to grant and issue "according to law" writs such as writs of certiorari, prohibition, procedendo, mandamus and quo warranto against the judge of any court of first instance or tribunal or other institution or any other person.

While certiorari is available to have an invalid decision or order quashed or nullified, prohibition and procedendo are available to restrain unlawful action and mandamus is used to compel the performance of a public duty. Quo warranto is the remedy available to challenge the authority of someone purporting to hold public office. In terms of Article 141 of the Constitution the Court of Appeal also has the power to grant and issue orders in the nature of habeus corpus to deal with unlawful or illegal detention.

It is important to note that the Supreme Court may also exercise the writ jurisdiction in certain circumstances. The proviso to Article 140 of the Constitution has expressly enacted that Parliament may by law provide that the jurisdiction vested in the Court of Appeal in terms of Article 140 shall be exercised by the Supreme Court. Article 104H of the Constitution (17th Amendment) and Section 4(1) read with Section 6 of the Urban Development Projects (Special Provisions) Act² provide examples of situations in which the writ jurisdiction of the Court of Appeal is vested by law in the Supreme Court.

The Thirteenth Amendment to the Constitution has also conferred a limited writ jurisdiction on Provincial High Courts with respect to devolved subjects.

Saleem Marsoof, 'The Expanding Canvass of Judicial Review' [2005] Bar Association Law Journal 18.

1. In terms of Article 140 of the Constitution, power of judicial review of administrative action is mainly vested with which court?

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2. Name four types of writs which can be granted by the court.

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3. With what type of administrative actions, are orders in the nature of habeas corpus mainly associated?

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4. When does the Supreme Court exercise writ jurisdiction?

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5. In addition to the Court of Appeal and the Supreme Court, state one other court which exercises writ jurisdiction.

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