

OLABISI ONABANJO UNIVERSITY, AGO - IWOYE.
CENTRE FOR CONTINUING EDUCATION
FACULTY OF LAW
DIPLOMA IN LAW
2016/2017 HARMATTAN SEMESTER EXAMINATION
DIL 105 LAW TORTS

INSTRUCTION: ANSWER ANY FOUR (4) QUESTIONS
TIME ALLOWED: 2 ½ HOURS

1(a) John owns a Datsun car which he operates as a taxi cab in Ago-Iwoye. The Ijebu North Local Government granted him a hackney permit to operate the taxi cab which permit was meant for his exclusive use. He transferred the permit to Julius consequently the council seized and detained the said taxi cab. John approached the council management and demanded the return of his taxi cab on several occasions but the council management failed to release same. Two months after the refusal of the council to return the taxi cab to John, the taxi was cannibalized where it was parked.

Discuss the legal issues involved with decided cases and advised John on his rights.

(b) Discuss the remedies to the Tort of Detinue.

2(a) What is Nuisance?

(b) The tort of public nuisance and private nuisance are distinct and separate torts. They grew independently, however, they overlap. Discuss lucidly the basic differences between private nuisance and public nuisance.

3(a) Olumide pointed an unloaded gun at Ojo on Tuesday. On Thursday, Ojo retaliated by pointing a gun at Olumide but this time around the gun was loaded and when Ojo pulled the trigger the bullet from the gun hit Olumide on his right leg.

Discuss the legal issues therein with the aid of relevant judicial authorities.

(b) Discuss the Defenses for trespass to person.

4. "Every restraint of the liberty of a free man is an imprisonment, although he be not with walls of any common prison" Per Coke C.J. 2 Ins. Statute of Westminster II, C. 48. Discuss this in relation to false imprisonment.

5. The person who for his own purpose (and in the course of a non-natural use of his land) brings on his land and collects and keeps there anything likely to do mischief if it escapes must keep it at his peril and if he does not do so, is prima facie answerable for all the damage which is the natural consequence of its escape. Per Lord Cairns. Discuss the above in relation to the rule in Rylands V Fletcher.

6(a) Discuss the various acts of trespass to land.

(b) Discuss the remedies for trespass to land.

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