

**KLE Society's Law College, Bengaluru**

**Subject: Law of Torts**

**Course Plan**

**2018-2019**

**Objectives of Course:**

This course is designed to study the principles of tortious liability, the defenses available in an action for torts, the capacity of the parties to sue and be sued and matters in connection therewith. Further, this course is designed to study specific torts against the individual and property. With rapid industrialization, inadequacy of the law to protect the individual is exposed. An attempt shall be accorded to the individuals against mass torts and industrial torts. Keeping in the expensive character of judicial proceedings, the students should reflect on the alternative forms, and also the remedies provided under the Consumer Protection Act, 1986.

| Unit | Topics       | Sub topics   | Prerequisite Reading / Assignments    | No of hrs | Method                           | Supplementary reading  | Unit outcomes   |
|------|--------------|--|---------------------------------------|-----------|----------------------------------|--|---|
| 1    | Introduction | 1. Evolution of torts<br>2. Nature and scope of law of torts and meaning<br>3. Torts distinguished from contract and crime<br>4. Ubi jus ibi remedium<br>5. Mental element | Ratanlal and Dhirajlal – Law of Torts | 12        | Lecture and classroom discussion | Winfield and Jolowicz : Tort<br>Heple and Mathews: Cases and Materials<br>Salmond - On torts | Introduces students to the law of torts and to the principles of tortious liability and distinguishes torts from crimes and breaches of contract. |

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| 2 | General Defences and Vicarious Liability                            | <ol style="list-style-type: none"> <li>1. Volenti non fit injuria</li> <li>2. Inevitable accident</li> <li>3. Necessity</li> <li>4. Private Defence</li> <li>5. Statutory Authority</li> <li>6. Plaintiff a wrong doer</li> <li>7. Master and Servant</li> <li>8. Employer and Independent contractor</li> <li>9. Principal and Agent</li> <li>10. Firm and director</li> </ol> | Ratanlal and Dhirajlal – Law of Torts | 10 | Lecture and classroom discussion                          | Avatar Singh: The law of Torts  | The unit is designed to make the students know and understand various defences available to the defendant in a suit for torts.  |
| 3 | Negligence, Nuisance, Absolute and Strict Liability, Legal Remedies | <ol style="list-style-type: none"> <li>1. Foreseeability and proximity</li> <li>2. Just and reasonable</li> <li>3. Economic loss</li> <li>4. Physical Damage</li> <li>5. Rule in Rylands v. Fletcher</li> <li>6. Rule in M.C Mehta v. UOI</li> </ol>  | Ratanlal and Dhirajlal – Law of Torts | 15 | Lecture, classroom discussion, documentary and case study | Baxi Upendra and Danda Amrita – Valiant Victims and Lethal Litigation | <ul style="list-style-type: none"> <li>• Students will be acquainted with the mental elements involved in a tort especially negligence, the extent of liability and the liabilities of different professionals for</li> </ul> |

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negligence.

- The unit is designed to acquaint the students with the concept of no fault liability and the different remedies available to the victim of a tort and the circumstances in which they are available.

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|---|----------------------------------|---|---|----|--|--|--|
| 4 | Tort against person and property | <ol style="list-style-type: none"> <li>1. Torts affecting body</li> <li>2. Torts affecting reputation</li> <li>3. Torts affecting freedom</li> <li>4. Torts affecting domestic and other rights</li> <li>5. Torts against property</li> </ol> | Ratanlal and Dhirajlal – Law of Torts     | 15 | Lecture, case study and classroom discussion | Avatar Singh : The Law of Torts                  | Students will understand the different torts against persons and personal relationships and the circumstances in which a person is liable for committing such torts.   |
| 5 | Consumer protection Act of 1986  | <ol style="list-style-type: none"> <li>1. Definitions</li> <li>2. Consumer protection councils</li> <li>3. Consumer disputes redressal agencies</li> </ol>  | Singh Gurbax – Law of Consumer Protection | 10 | Lecture and case study                       | D. N. Saraf: Law of Consumer Protection in India | Students will be able to identify consumers, defects in goods and deficiency in services. They will also be able to tell the remedies available to the aggrieved consumers and the forum where they are available. |

No of handouts-4      No of students Presentation-2  
No of case studies-      No of documents to be screened - 1  
No of Lecturers/PPT-62      No of Guest Lectures-01  
No of writing exercise-5      No of Hrs. for revision and Question Paper solving-3

Any links -

Service Learning-

Course Outcome

Industry/ professional skills- The study of Consumer Protection Act will give them an all round understanding of how the redressal forum functions and will help them to be better litigators.

Human values: Students will understand the importance of respecting another person's person as well as property. This course instills in the students a sense of duty and care towards the fellow human beings and deters them from being a negligent citizen.

Academic Coordinator- Dr. <sup>N.M.</sup> Anita M.J  
~~Coordinator~~

Internal Quality Assurance Cell

KLE Society's Law College, Bangalore.

Principal-Dr. J. <sup>JMM</sup> Malakarjunaiyah  
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