

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 2. Nature and scope of law of torts and meaning 3. Torts distinguished from contract and crime 4. Ubi jus ibi remedium 5. Mental element	Ratanlal and Dhirajal – Law of Torts	12	Lecture and classroom discussion	Winfield and Jolowicz : Tort Heple and Mathews: Cases and Materials 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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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, document ary and case study	Baxi Upendra and Danda Armita – 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>
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	<p>The unit is designed to make the students know and understand various defences available to the defendant in a suit for torts.</p>

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 Gurubax – 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.