

DETAILED CURRICULUM
LEVEL THREE - SEMESTER SIX
CIVIL PROCEDURE

COURSE DETAILS			
Course Code	LW 6304		
Course Title	CIVIL PROCEDURE		
Course Type	Core		
Credits	4		
Hours Allotted	Theory	45	Total 75
	Practical		
	Assignments/Tutorials	30	
AIM			
<p>Civil Procedure was initially derived from English tradition. This code had been enacted during the colonial period. This was established by series of proclamation, regulations, rules ordinances and acts.</p> <p>The aim is to equip the students with sound theoretical and practical knowledge of the procedures setout and to introduce students to the drafting of essential documents and pleadings practice in the civil courts.</p>			
INTENDED LEARNING OUTCOMES			
<p>After the completion of course Unit, learners should be able to</p> <ol style="list-style-type: none"> (1) to have a sound understanding of the procedure involved in litigation in Civil Courts (2) have an ability to critically analyse the procedures in the manner of problem solving. (3) to draft pleadings and documents used in Civil Courts. 			
COURSE CONTENTS			
<ul style="list-style-type: none"> • Chapter 1 Preliminary • part 1 of actions in general <ul style="list-style-type: none"> • Chapter II General Provisions • Chapter III of the Court of Institution of Action • Chapter IV of Parties and their Appearances, Applications, and acts • Chapter V of Recognized Agents and Attorneys – At – Law • Chapter VI of the Scope and Subject of Action • Chapter VII of the Mode of Institution of Action • Chapter VIII of the Issue and Service of Summons • Chapter IX of Filing Answer • Chapter X of the Replication and Further Pleadings • Chapter XI of Fixing day of Trial • Chapter XII of the Consequences and Cure (when Permissible) of Default ii Pleading or Appearing • Chapter XIII of Motion • Chapter XIV of the Journal 			

- Chapter XV of Amendment
- Chapter XVI of Discovery, Inspection, Production, Impounding, and Return Documents
- Chapter XVII of Witnesses and Documents
- Chapter XVIII of Adjournments
- Chapter XIX of the Trial
- Chapter XX Judgment and Decree
- Chapter XXI of Costs
- Chapter XXII of Executions
- Chapter XXIII of Service of Process
- **Part II of Summary Procedure**
 - Chapter XXIV of Summary Procedure
- **Part III Incidental Proceedings**
 - Chapter XXV of the Continuation of Actions after Alteration of a Party's
 - Chapter XXVI of the Withdrawal and Adjustment of Action
 - Chapter XXVII of Payment of Money into Court
 - Chapter XXVIII of Security for Costs
 - Chapter XXIX of Commissions a Commissions to Examine witness
- **Part I Vacations in Particular Cases**
 - Chapter XXXI Actions by or Against the state, or Ministers, deputy Minister Public Officers
 - Chapter XXXIII Actions By and Against Corporations and Companies
 - Chapter XXXIV Actions by and Against Trustees, Executors, and Administrates
 - Chapter XXXV Actions by and Against Minors and Persons Under other Disqualification
 - Chapter XXXVI Actions by and Against Persons in the Naval military or Air
 - Chapter XXXVII Actions of Account
 - Chapter XXXVIII Testamentary Actions
 - Chapter XXXVIII A Insolvent Testamentary Estates
 - Chapter XXXVIII B Foreign Probates
 - Chapter XXXVIII C General and Transitional Provisions in testamentary Mat
 - Chapter XXXIX Actions Relating to Persons of Unsound Mind
 - Chapter XL Actions for the Appointment of Guardians
 - Chapter XLI Actions for Appointment and Removal of trustees
 - Chapter XLII Matrimonial Actions
 - Chapter XLIII Interpleaded Actions
 - Chapter XLIV Vacations Which Fail for want of Jurisdiction
- **Part V Provisional Remedies**
 - Chapter XLVII of Arrest and Sequestration Before Judgment
 - Chapter XLVIII of Injunctions
 - Chapter XLIX of Interim Orders
 - Chapter L of the Appointment of Receivers
- **Part VI of Special Proceedings**
 - Chapter LI of Reference to Arbitration
 - Chapter LII of Proceedings on Agreement of Parties
 - Chapter LIII of Summary Procedure on Liquid Claims
- **Part VII of the Aiding and Controlling of executors and Administrators, and the**

Judicial Settlement of Their Accounts

- Chapter LIV of Aiding, Supervising, and Controlling Executors and Administrators
- Chapter LV of the Accounting and Settlement of the Estate
- Chapter LVI of Accounting in cases of Persons of Unsound Mind and of Min
- Chapter LVII General Clauses
- **Part VIII of Appeals**
 - Chapter LVIII
 - Chapter LIX of the Execution of Decrees Under Appeal
 - Chapter LX of Appeal Notwithstanding Lapse of Time
 - Chapter LXI Hearing of the Appeal
- **Part IX of Summary Procedure in Respect of Contempt's of Court**
 - Chapter LXV
 - Chapter LXVIA Procedure Relating to Inquiries into Disputes affecting Lan where a Breach of the Peace is Threatened or Likely
- **Part X**
 - Chapter LXVII Miscellaneous

ASSESSMENT CRITERIA	% OF MARKS
Semester-end Examination:	70
Assignments:	20
Class Quizzes:	10

RECOMMENDED READINGS

1. Civil Action by Jonathan Harr
2. Civil Procedure, Cases and Materials by Jack H Friedenth, Arthur R Miller.
3. Law of Affidavits, PM Bakshi
4. Cases and Materials on code of Civil Procedure by Justice ML Singhal
5. Civil Court practice and procedure manual by Sudipto Sarkar
6. Key to Civil Court Practice and Procedure by Narender Kumar
7. Civil Procedure in Sri Lanka by Kalina Indatissa
8. Civil Appeals by Wijedasa Rajapaksa
9. Case Law on Civil procedure by Wijedasa Rajapaksa