



**NATIONAL OPEN UNIVERSITY OF NIGERIA PLOT 91, CADASTRAL ZONE, NNAMDI
AZIKIWE EXPRESS WAY, JABI, ABUJA FACULTY OF LAW
2023_1 POP EXAMINATIONSM**

COURSE CODE: PPL 343
COURSE TITLE: FAMILY LAW 1
TIME ALLOWED: 3 HOURS
**INSTRUCTION: ANSWER QUESTION 1 (ONE) AND ANY 3 (THREE) OTHER
QUESTIONS. (QUESTION 1 (ONE) ATTRACTS 25 MARKS
TOTAL =70 MARKS**

QUESTION 1

Chief Johnson got married to Sike three years ago, at the Ikoyi Marriage Registry in Lagos State. Last year August, they decided to get a female house maid to assist the family with the house chores. About one month, after, Chief told his wife, Sike that the house maid should be send packing, but she refused. This led to a serious fight which made both husband and wife to be living as cat and dog, for the past ten weeks. Five days ago, Sike, came across a pregnancy test in Chief's wallet result showing that their house maid is ten weeks pregnant. She confronted Chief on the issue, but, instead of her getting an explanation, the husband beat her up. The house maid suddenly assumed the position of a wife. As if that is not enough, chief also brings other women to the house. To her greatest surprise, the husband sent her out of the room they both sleep and sleeps with other women on their matrimonial bed. This has been happening for the past seven months and is now unbearable for Sike. Every attempt Sike makes to settle with her husband, for peace to return to the family always ends up in futility. Advise Sike.

QUESTION 2

Mr and Mrs. Juju marriage lasted for seven years before they separated without any court order. They reunited as husband and wife living happily under the same roof, but their happiness was short lived, when the only boy among the three children died in his sleep. As Usual, the husband left for work at 7am on a Monday Morning about one year ago, but he has since not return home. In an attempt to find his whereabouts, the wife received a message on her phone that her husband had relocated to the state. She confirmed that it and decided to look for the husband. Each time she gets to where the husband lives, he is not always available. The last time she went, the man was about to go out, and so she decided to wait till when he returns, still the man did not give her audience. A friend advised Mrs. Juju to institute an action for desertion. How justifiable is this action?

QUESTION3

Peju and Tade graduated from National Open University three years ago. Fortunately, both of them were posted to the same state for their one year mandatory youth service. During the service year, the duo became very close and this led to a love affair. It's two years, Peju moved in with Tade in the apartment he rented and they have since been living together. Their relationship has been blessed with a baby boy and in some months Peju will be having another child. The relationship has been very peaceful and both are happy with each other. Last month, Miss Ayo, a childhood friend, gave Peju a wedding invitation card. On receiving the invitation, Peju has decided to discourage and if possible stop her friend from

continuing the wedding plans. To Peju, what is important is when a man and a woman live happily together, celebration of marriage has little or no benefits; in fact it is mere waste of time. How true is Peju's statement?

QUESTION 4

The Matrimonial Causes Act, (MCA) 1970 makes provision for dissolution of marriage in Nigeria.

- a. What is the ground for dissolution of marriage under the Act, citing the relevant provision of the law?
- b. Bearing (i) in mind, clearly explain what the court will consider before granting a petition for dissolution of marriage.

QUESTION 5

Write brief but explanatory notes on the following:

- a. the circumstances under which an engagement can be terminated.
- b. ground(s) for dissolution of marriage under customary law.
- c. jurisdiction of a court in matrimonial cases.

QUESTION 6

Consider this assertion, citing relevant provision(s) of the law:

“Marriage is the root of the family and of society. It is a universal institution which is recognized all over the world. As a social institution, it is founded on, and governed by the social and religious norms of the society”.