

A Study on Judicial Review of Courts

Pavithra. G

BA.LLB (hons), 3rd Year

Hindustan School of Law, Hindustan Institute of Technology and Science, Hindustan University, Padur
pavigovind12@gmail.com

Abstract: *Judicial review is the process by which the Courts determine whether or not an administrative decision-maker has acted within the power conferred upon him or her by Parliament. That places the question of statutory construction at the heart of the enquiry. The Supreme Court enjoys a position which entrusts it with the power of reviewing the legislative enactments both of Parliament and the State Legislatures. This grants the court a powerful instrument of judicial review under the constitution. Research reveals that the Supreme Court has taken in hand the task of rewriting the Constitution, which is an important aspect in present scenario. The Constitution of India is the supreme law of the land. The Supreme Court of India has the supreme responsibility of interpreting and protecting it. It also acts as the guardian-protector of the Fundamental Rights of the people. For this purpose, the Supreme Court exercises the power of determining the constitutional validity of all laws. It has the power to reject any law or any of its part which is found to be un-constitutional. This power of the Supreme Court is called the Judicial Review power. State High Courts also exercise this power but their judgements can be rejected or modified or upheld by the Supreme Court. In broad sense, the higher courts have the influence to review issue judicially against the assessment of pronouncement of public authority within their respective provinces. The role of higher court is that to be watched closely whether the executive, legislature and lower courts obeying with the statutory and constitutional limitations. They are exercising their powers in the sphere of the Constitution, if not so, to abstained their action. Normally, the higher court has the power of supremacy to review lower court's actions. The control of judicial review is conferred in the higher courts to define and appraisal legitimacy of a law or a command.*

Keywords: Judicial review, power, statutes, legislation, judgements

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