

JUDICIAL REVIEW

COVER PAGES 334-340 AND 378-394

Module 5

Summary:

The PDF document discusses the principles of judicial review of administrative actions in India. It explains that the system of judicial review in India is inherited from Britain and has been developed by judges on a case-by-case basis. The document highlights that the present trend of judicial decisions is to expand the scope of judicial review and limit immunity from review to specific cases. It also explains the four shapes of judicial review: legislative review, judicial review, constitutional review, and administrative action review. The document primarily focuses on the fourth type of judicial review.

Important Points:

1. The system of judicial review in India is based on principles inherited from Britain and has been developed on a case-by-case basis.
2. The current trend is to expand the scope of judicial review and restrict immunity from review to specific cases.
3. There are four shapes of judicial review: legislative review, judicial review, constitutional review, and administrative action review.
4. The document primarily focuses on the fourth type, which involves the court reviewing the constitutionality of administrative actions and examining their fairness, reasonableness, and justness.
5. The Indian Supreme Court has jurisdiction under Articles 32 and 136 of the Constitution, and its decisions are final and binding in all civil, criminal, and constitutional matters.
6. The jurisdiction of the court cannot be taken away by legislation or constitutional amendments.

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