



SNS COLLEGE OF TECHNOLOGY
(AUTONOMOUS), COIMBATORE - 35



COURSE NAME : 19HST103 & INDIAN CONSTITUTION

I YEAR/ II SEMESTER

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**UNIT –II Structure and Functions of Central
Government**

Topic: Judicial Review

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Judicial Review

- Judicial review is defined as the doctrine under which executive and legislative actions are reviewed by the judiciary. Even though we have in India the principle of separation of powers of the three arms of the State, namely, the executive, the legislative and the judiciary, the judiciary is vested with the power of review over actions of the other two arms.
- Judicial review is considered a basic structure of the constitution (Indira Gandhi vs Raj Narain Case).
- Judicial review is the power of the courts to consider the constitutionality of acts of organs of Government and declare it unconstitutional if it violates or is inconsistent with the basic principles of the Constitution.



Judicial Review Classification

- We can classify judicial review into three categories. They are:
- **Reviews of Legislative Actions:** This review implies the power to ensure that laws passed by the legislature are in compliance with the provisions of the Constitution.
- **Review of Administrative Actions:** This is a tool for enforcing constitutional discipline over administrative agencies while exercising their powers.
- **Review of Judicial Decisions:** This is seen in the Golaknath case, bank nationalisation case, Minerva Mills case, privy purse abolition case, etc.



Importance of Judicial Review

- It is essential for maintaining the supremacy of the Constitution.
- It prevents the tyranny of executives.
- It maintains the federal balance.
- It is essential for checking the possible misuse of power by the legislature and executive.
- It is essential for securing the independence of the judiciary.
- It protects the rights of the people.