

JUDICIAL REVIEW AGAINST ADMINISTRATIVE ACTION: AN ANALYSIS

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ABSTRACT

It is an essential mechanism in contemporary democracies, where administrative bodies operate within strict legal channels, respect the principles of fundamental rights, and adhere to rule of law. It has been given under the doctrine of the rule of law that the authors, like Friedrich Hayek, found as a means by which court's review the legality of the actions of administration to ensure against arbitrariness, bias, and unlawful exercise of authority.

In India this actions has emerged as an important characteristic of the Constitution anchored on the principles of "illegality", "irrationality", "procedural impropriety", and "proportionality". *Maneka Gandhi v. Union of India*³, The Supreme Court of India laid down a key principle that any administrative action interfering with fundamental rights, as enunciated by the Constitution, is amenable to judicial review. In the case of *Kesavananda Bharati v. State of Kerala*⁴, The SC of India held that judicial review is an integral part of the basic feature of the Indian Constitution and can not be altered through amendment.

Judicial review not only declares unlawful administrative action invalid but also keeps the administrative body from overstepping its jurisdiction or acting beyond its authority. Another landmark case that emerged in the judgment was *Minerva Mills v. Union of India*.⁵ Its decision brought to fore the need for proper balance between the Part-III of Constitution of India which is related to Fundamental Rights and Part-IV of Constitution of India which is related to Directive Principles of State Policies so that administration actions do not violate either one. Continuously, as the decisions came out, the High Court's struck the correct balance between

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³ AIR 1978 SC 597

⁴ AIR 1973 SC 1461

⁵ AIR 1980 SC 1789

judicial review and administrative freedom, with the result being just, fair, and constitutionally proper governance.

This paper discusses the role that judicial review plays in restraining administrative overreach, outlines pivotal judicial precedents, and deals with the requisites of such reforms that should ensure both effective governance and a fair oversight system. In this manner, judicial review continues to safeguard democracy and ensures the accountability and transparency of action on the part of administrative authorities.

Keywords: Judicial Review, Administrative Actions, Fundamental Rights, Constitutional Law, India, Administrative Overreach, Legal Accountability, Court Precedents.

INTRODUCTION

Judicial review refers to the power of the courts to invalidate the constitutionality of enactments of the legislature and actions of the executive. Therefore, it ensures the conformance of such acts of government by the legislature, the executive, or the administration with both law and the Constitution. Judicial review should serve as a bulwark against what is popularly called the abuse of power, arbitrariness, or illegality, thus protecting individual rights and the rule of law. It means a system whereby the judiciary can declare an action taken under the purview of legislation or administration null and void when it is repugnant to constitutional principles.

The Indian Constitution does not include judicial review by name, but it has strongly been established through judicial interpretations. In fact, the Supreme Court of India held, in its *Kesavananda Bharti v. State of Kerala*⁶, In this case it was held that judicial review is a part of the basic structure of the Constitution. That means, in turn, it means that the power of judicial review is the fundamental feature of democracy in India and that all government actions must be lawful as well as just.

Judicial review is also an important tool to protect democracy as it checks the powers of an executive and legislature so that no part of the government exceeds its authority or violates the fundamental rights of citizens. Represented elected power is meant in a democratic system, with the actions expected to act in obedience to the law of land. It ensures that this power is exercised in a manner which is consistent with constitutional norms and human

⁶ AIR 1973 SC 1461

rights principles. It is also a tool to enforce accountability in the government. Administrative bodies and public officers are made answerable for their actions through judicial review. This practice avoids misuse of power and reinstates public confidence in governmental institutions.

This paper deals with judicial review in relation to administrative actions, especially in the Indian context. It focuses to understand how judicial review is taken up for accountability, transparency, and fairness of decisions by government. It's constitutional provisions that enable judicial review and on what bases administrative actions might be questioned in the court will be analysed.

This paper explores the scope and limitations of judicial review. The courts can review decisions made by the administrative bodies; however, such power is not unconditional. The study will discuss points at which the judiciary relinquishes its scrutiny and leaves matters to administrative discretion or executive considerations.

This study would also include landmark cases where judicial review was exercised over actions by administrators. Through these case studies, we would see how judicial review had evolved over time in India and how the courts have shaped its application in various contexts.

The paper will deal with the problems that face the judiciary as it reviews acts of administration, like judicial overreaching, excess of the executive powers, and the principle of separation of powers. The role that judicial review plays in modern governance, especially in a fast-changing society, will be critically reviewed.

EVOLUTION OF JUDICIAL REVIEW IN INDIA

Historical Background of Judicial Review

This concept has been developed by Chief Justice Marshall in *Marbury v. Madison*. He invokes a seventeenth-century understanding of English legal traditions or early judicial rulings to give authority to the federal judiciary to review and possibly void congressional statutes.⁷. Marshall did not coin judicial review. The doctrine of judicial review finds its roots in a long-standing English practice whereby courts examined corporation bylaws to prevent such from

⁷ Mary Sarah Bilder, "Idea or Practice? A Brief Historiography of Judicial Review", 20 *Journal of Policy History* 6-26 (2008)

being contrary to the general laws of England. This process of judicial review was reinstated and vindicated by Edward Coke along with other English judges, referring to the proceedings of the sixteenth and seventeenth century, as the delegated authorities were bestowed only with limited legislative powers. As the first colonial settlements in America were established as corporations, the common law of England, which required judicial review of corporate by laws for consistency with the overarching legal principles that they enunciated, also applied to the governance of these colonies.⁸

This practice of repugnancy and assumption of limited legislative authority continued after 1776. Instead of using the term "the laws of England," post-Revolutionary lawyers used the term "constitution." State courts scrutinized state legislation for repugnancy to new state constitutions. James Madison stated, "A law violating a constitution established by the people themselves, would be considered by the Judges as null & void."⁹

After 1787, the practice of judicial review became an integral part of American constitutionalism. In *Marbury*, CJ Marshall affirmed the "long and well established" principle that "a law repugnant to the constitution is void; and that courts, as well as other departments, are bound by that instrument."¹⁰

For India the real development of judicial review can be traced from the adoption of the Constitution of India, 1950. The Indian Constitution has not specifically mentioned about the judicial review but it reflects the idea of judicial review under Articles 13, 32, and 226 in the constitution. These provisions basically structured to review legislative, executive and administrative action.

Article 13 of the constitution provides that any law which is in derogation of the provision of Indian Constitution or the basic feature of the constitutional law provided in Part III shall be void and ineffective. So, it lends an effective role to the judiciary in scrutinising whether a law, or any act by the executive violates the essential right and might strike it down if it does so.

⁸ *Supra*

⁹ Mary Sarah Bilder, "Idea or Practice? A Brief Historiography of Judicial Review", 20 *Journal of Policy History* 6-26 (2008)

¹⁰ *Supra*

Article 32 is very famously known as "Right to Constitutional Remedies." Through this, every citizen has a right to appeal directly to the Supreme Court in case their rights which are mentioned in Part III of the Constitution are violated. It is through Article 32 that the judiciary is granted the power to review any action of the state be it administrative in nature to declare whether it is constitutional or not. This judicial review power renders the Court capable enough to ensure that the actions of the executives and the legislative bodies do not clash with Constitution.

Article 226 of Indian Constitution conferred powers to HCs to issue writs for enforcement of Part-III i.e. Fundamental Rights or for any other purpose. Article 226 gave review over administrative actions to High Courts and issued directions or orders to any authority within the country. This is an important provision because, through this article, judicial review does not only lie with the Supreme Court but is also accessible and available at the level of High Courts. Moreover, there are few important judgments that shaped the concept of judicial review in India. These cases have widened the scope of judicial review and explained its applicability to different contexts.

This is one landmark judgment and in *Keshanandan Bharti v. State of Kerala*¹¹ in which it has been held that judicial review is a basic element of the Indian Constitution and forms a part of its basic feature. It is so essential that it cannot be removed or diminished, even by a constitutional amendment

In the case of *Maneka Gandhi v. Union of India*¹², the concept of judicial review has been advanced with two important innovations in the concept of liberty with far-reaching consequences: 1) The term "personal liberty" has been given a wider meaning by the court as it includes everything which is essential for persons life, including the right to education, involving participation in activities and the corporate life of an university, and liberty. 2) The court grafted the notion of just and fair in the "procedure established by law" strip a man of his liberty. Thus, presently, where any law restricts persons' life or liberty which is not just fair and reasonable, a writ of habeas corpus would lie and court may make such law void. The Court made it further clear that Article 21 cannot be read in isolation and must be interpreted in such a manner as to accord with the spirit of the Constitution. Thus, the

¹¹ AIR 1973 SC 1461

¹² AIR 1978 SC 597

clarification made was that judicial review under Article 32 extended, *inter alia* to the scrutiny of administrative actions especially those concerning fundamental rights against constitutional norms.

Again, in *Minerva Mills Ltd. v. Union of India*¹³, the Court confirmed the principle that some provisions of the Constitution, judicial review, and the hierarchy between fundamental rights and directive principles are not amendable or subject to change.

Finally in *L. Chandra Kumar v. Union of India*¹⁴ the SC of India held that judicial review exercised by the HCs under Articles 226 and 227 and by the SC under Article 32 is an integral feature of the Constitution's basic structure. Such power cannot be transferred through legislation or constitutional amendment. Provisions of Articles 323A(2)(d) and 323B(3)(d) were vindicated, which had ousted jurisdiction of HCs and the SC over decisions made by administrative agency on the ground that decisions of tribunals being subject to judicial scrutiny at the hands of the High Court's meant checks on tribunal functioning.

GROUNDS OF JUDICIAL REVIEW OF ADMINISTRATIVE ACTIVITIES

Judicial review of administrative actions is mostly concerned with the exercise of powers by administrative bodies or government authorities to see whether such powers exercised are indeed in accordance with the law. Checks on unchecked growth in the exercise of administrative power calls for judicial review. It is a true reflection of the requirements of modern governance that legislative and adjudicative powers are delegated to administrative bodies. Judicial scrutiny of such exercises, therefore, becomes necessary to ensure that such exercise of power does not go beyond the limits prescribed by law and the Constitution.¹⁵

Judicial review constitutes an important part of the Indian Constitution, and such judicial review cannot be done away with at any cost, neither through amendments to the constitution. However, with the adoption of liberalization, privatization, and globalization policies, the courts have shifted to accepting greater elasticity in administrative decision-making accommodating the economic considerations.¹⁶.

¹³ (1980) 3 SCC 625

¹⁴ AIR 1997 SC 1125

¹⁵ I.P. Massey, *Administrative Law* (Eastern Book Company, Lucknow, 9th Edition. 2017).

¹⁶ *Supra*

Judicial review usually applies on four legal "heads." These heads include illegality, irrationality, procedural impropriety, and proportionality. This frame of grounds is quite good but cannot be categorized in the strict terms of specific heads. Instead, they provide a flexible framework that allows courts to review administrative actions, ensuring that an action is efficient, fair, and accountable. The broad approach of this allows courts to cover extensive gamut of issues without allowing unlimited administrative power unchecked and where the writs don't operate freely.¹⁷

1. Illegality: The "illegality" rule in the principle of judicial review holds that administrative authorities ought to be aware of and observe the rule of law. Where an authority acts without jurisdiction or abusively exercises its jurisdiction or exceeds its legal powers, such an action can be considered illegal and subject to judicial review. Courts may justify quashing administrative decisions due to illegality on the following grounds:
 - a. Lack of Jurisdiction: This reviewing power can *inter alia*, be exercised on the following grounds:
 - I. Lack of jurisdiction may also be claimed under the grounds that the law, under which an administrative authority is constituted or acquires its powers, is unconstitutional; the acts of such an authority will be considered void.
 - II. If the administrative body is not constituted in accordance with statutorily required formalities, its action will be illegal and can be challenged as such
 - III. When an administrative body mistakenly determines a jurisdictional fact that is to say, a fact governing its authority to act in a case, it will errantly assume jurisdiction that is statutorily unavailable to it. This may raise its invalidation.
 - IV. If the authority assumes jurisdiction over a subject, area or parties beyond the limit of its competence, its acts shall be considered as unlawful.¹⁸
 - b. Excess of Jurisdiction: Excess of jurisdiction refers to a situation where a power that was initially vested with the right to act, extends the limits beyond what the

¹⁷ *Supra*

¹⁸ Paul Daly, *Jurisdictional Error and Administrative Law Values*, *Administrative Law Matters* (Oct. 27, 2017)

law allows it to. The actions become unlawful. Such situations can be of the following types:

- I. If an authority acts after an event that automatically strips or restricts its jurisdiction, the actions taken thereafter are illegal.
- II. Whenever an authority indulges or undertakes something which falls beyond the purview of its jurisdiction, such would be considered as acts beyond the lawful power of the authority and accordingly illegal.
- c. Abuse of Jurisdiction: Abuse of jurisdiction can be described as an administrative authority exercising its powers unfairly or in bad faith, or for a purpose other than what was originally intended by law. Abuse of jurisdiction may be invoked on judicial review of cases where there is misuse of administrative power. The following may present situations amounting to abuse of jurisdiction:
 - I. Error Apparent on the Face of the Record: If an authority makes a manifest error such that it would come out as if to have misinterpreted or misapplied the law, the same would amount to an abuse of jurisdiction and, therefore, reviewable through judicial review.
 - II. Consideration of Irrelevant factor: If an authority takes into consideration some factors or materials that are not relevant or otherwise to the matter at issue that would be an abuse of power, and such an act could be quashed.
 - III. Non-consideration of relevant material: if an authority fails to consider important and relevant information that ought to have been factored into its decision-making process, this also amounts to an abuse of jurisdiction.
 - IV. Colourable exercise of power or play of deception in law: Where an authority exercises its powers for a purpose other than for which it is granted by law, the exercise of power is then deemed 'colourable'.
 - V. Mala-fide exercise of power: If exercised with malice, in bad faith or with ulterior motive, it is abuse of jurisdiction. They can be set aside by the courts if exercised for motives contrary to the public good or reasons other

than those provided by law.¹⁹

- d. Failure to Use Jurisdiction: Any administrative authority which has been given granted power by law, regardless of whether it is discretionary or not, must use that authority in one manner or another. It must be used for public interest because it is a public trust and not a personal one. It may arise:
 - I. Unauthorized Sub-delegation of Power: Sub-delegation without legal sanction can make decisions by the sub-delegate invalid.
 - II. Acting under Dictation or Transcription: An authority is said to fail if it acts under dictation or under transcription of the decision of another authority. It simply does not independently perform its functions, according to law.
 - III. Self-limits: A situation in which an authority restrains its powers by itself through self-imposed limitations that may not be legally required may fail to exercise full authority. These limitations could be arbitrary and against the law on the powers given in law.
 - IV. Abdication of Jurisdiction: When an authority refuses to exercise jurisdiction over a matter the law has assigned to it, it is exercising its power scantily. This is rightly seen as an abdication of the legal duties assigned to an authority.
- 2. Irrationality (Wednesbury Test): In *Associated Provincial Picture House Ltd. V. Wednesbury Corp*²⁰ irrationality as a ground of judicial review was developed later came to be known as “Wednesbury test” to determine irrationality. Irrationality arise when irrelevant material taken into consideration and application of consideration or the exercise of power for improper purposes or in bad faith may result in an abuse of the proper exercise of administrative power. It may be used substantively to indicate that an administrative action is so unreasonable or irrational that no legitimate

¹⁹ John Stanton, *Abuse of Power as a Ground for Review in Judicial Review*, Online Law Journal (Għaqda Studenti tal-Łiġi), May 6, 2023, <https://www.ghsl.org/lawjournal/abuse-of-power-as-a-ground-for-review-in-judicial-review%EF%BF%BC/> (last visited Jan. 3, 2026).

²⁰ (1948) I KB 223 (CA)

authority could have taken it. This kind of irrationality suggests that the action is outside the realm of what is considered reasonable or justifiable, which, it has been mentioned, entails the possibility of judicial review.

The principles of irrationality are closely associated with the rule of law, reasonableness, and prohibition of arbitrariness. If any administrative action violates these principles, then the person aggrieved can have it declared illegal by a court. If such actions violate articles 14, that is, right to equality, 19, which enunciates freedom of speech and expression, etc., or article 21 that is, protection of life and personal liberty of the Indian Constitution, then the court can quash those actions. This allows for the fact that administrative decisions are always fair, reasonable, and in line with the principles of the law, protecting human rights and upholding the rule of law.²¹

A very long-standing principle of the judiciary in its judgments on this aspect is that reasonableness must be the hallmark of administrative decisions, especially where such decisions are patently irrational or arbitrary. This was evident in *Maneka Gandhi v. Union of India*²², which underscored the importance of fairness and non-arbitrariness of administrative actions, and, more recently, in *R. v. Secretary of State for the Home Department, ex parte Daly*²³, which held that an irrational decision infringed the principles of fairness and reasonableness.

A decision of the administrative authority shall be considered as irrational on the following grounds:

- a. Where it is based on lack of authority of law.
- b. Where it is grounded on lack of evidence.
- c. Where it is based on lack of relevant and extraneous consideration.
- d. Where it is so outrageous in its defiance to logic or accepted norms of moral standard that no reasonable person, on the given issues, could arrive at such a

²¹ I.P. Massey, *Administrative Law* (Eastern Book Company, Lucknow, 9th Edition. 2017).

²² AIR 1978 SC 597

²³ (2001) All ER 433

judgement.²⁴

3. Procedural Impropriety: Procedure of a decision is important because if “procedure” is not fair, decision cannot be trustworthy. Therefore, courts have insisted on a “fair procedure” requirement in every administrative action. Requirement of a “fair procedure” may arise in the following ways:

- I. Where fundamental rights of the people are violated.
- II. Where the statute prescribes any procedure to be complied with by the administrative authority before taking action, the administrative authority shall follow such procedure. Any contravention of the procedural norms would vitiate an administrative action.
- III. As an implied requirement when the statute is silent on procedure, the principles of natural justice would require the administrative authority to observe. These include rule against bias and rule of fair hearing.

4. Proportionality: It means that administrative action shouldn't be more severe than it might to be for obtaining anticipated outcome. This implies that cannon shouldn't be used to shoot a sparrow. Hence, this provision tries to balance means with the ends. This doctrine is applicable in the following situations:

- I. Where an administrative act infringes Part-III i.e. FRs, courts make strict scrutiny of the administrative act and go into the question of correctness of the choices made by the concerned authority. The judiciary would also balance adversarial effects on the right and the object sought to be achieved.
- II. Where a question which is related to degree of punishment imposed by the administrative agency is involved, the court wouldn't make strict scrutiny.

In *Association of Registration Plates v. Union of India*²⁵ The Court clarified that although judicial review applies to administrative actions, such as in the process of tender, courts must

²⁴ Raphael Hogarth, Judicial Review, Institute for Government (Dec. 18, 2019), <https://www.instituteforgovernment.org.uk/explainer/judicial-review> (last visited Jan. 3, 2026).

²⁵ (2005) 1 SCC 679

be cautious and not intervene unless the conditions are arbitrary, unreasonable, or ultra vires.

Also in *State of W.B. v. Debashish Mukherjee*²⁶ the Court declared that any action on the part of the state which touches fundamental rights ought to satisfy the standards of reasonableness, fairness, and justice. The court pointed out how judicial review is a vital mechanism in establishing whether or not decisions taken by the administration are arbitrary, discriminatory, or violative of constitutional guarantees. This judgment strengthened the judiciary's role in maintaining equilibrium between state authority and individual rights.

Supreme Court in *Narayan Dutt v. State of Punjab*²⁷ emphasized that the power under Articles 72 for the President and Article 161 for the Governor cannot be exercised arbitrarily but must follow the principles of fairness, equality and absence of mala fide intent enunciated in cases like *Maru Ram v. Union of India*²⁸ and *Kehar Singh v. Union of India*.²⁹

JUDICIAL APPROACH TOWARDS ADMINISTRATIVE ACTION

Delegated authority from which administrative actions flow very often touch the rights and interests of individuals to a considerable extent. To check possible administrative malpractice by administrators, courts play a salutary role in making a balance between administrative discretion and the rule of law. This chapter is an attempt to explore judicial approach to the administrative action, specifically focusing on control of overreaching by courts through landmark judgments and challenges which courts face in the process of dealing with administrative cases.

Role of Courts in controlling Administrative Circumvent

Courts have been called the constitutional watchdogs to prevent administration from indulging in actions that go beyond the parameters of legality, reasonableness, and fairness. It is within this sweet balance that some significant tools and doctrines of judicial review come into play.

1. Judicial Review: The doctrine of judicial review forms the core of the role of courts

²⁶ (2011) 14 SCC 187

²⁷ (2011) 4 SCC 353

²⁸ (1981) 1 SCC 107

²⁹ (1989) 1 SCC 204

in exercising control over administrative decisions. Courts scrutinize the legality of administrative decisions to ensure that they are not ultra vires—that is, beyond the powers delegated by law. Judicial review encompasses procedural and substantive elements and draws attention to principles like:

- a. **Proportionality:** The administrative action cannot be excessive and must bear a reasonable relationship with the objective sought to be achieved.
- b. **Reasonableness:** Courts declare strikes if the decision concerned is "irrational" or which no reasonable authority would ever make.
- c. **Legitimate expectation:** This principle protects the expectations of people based on consistent earlier practices by the administration. "This ruling vindicated the principle of legitimate expectation, wherein the Court found that public authorities ought to act fairly and in consistency with what they have been doing or conducting themselves otherwise, especially if people act on such expectations."³⁰
- d. **Natural Justice:** It demands such rights as that of a fair hearing and an unbiased mind.

2. **Statutory Interpretation:** Courts interpret statutory provisions conferring power to administrative authorities so that such provisions do not confer arbitrary or excessive discretion. On interpreting any obscurity, courts generally give such constructions which limit the absolute power of the executive and safeguard the interests of citizens.
3. **Constitutional Protections:** They check the exercise of administrative power at the behest of enforcing constitutional rights under Articles 32 and 226 of the Indian Constitution. The acts of administration do not violate the right of equality guaranteed by Article 14, freedom of speech by Article 19, or the right to life and personal liberty by Article 21.³¹
4. **Checks on Delegated Legislation:** Courts further check the validity of subordinate

³⁰ *R.D Shetty v. The International Airport Authority of India & ors* 1979 SCC (3) 489

³¹ M.D Imran Wahab, Grounds for Quashing the Chargesheet, available at: <https://www.legalserviceindia.com/legal/article-16686-grounds-for-quashing-the-charge-sheet.html> (last visited on November 16, 2025)

legislations also by ensuring them to be in accordance with the enabling act and not violating any of the constitutional provisions.

Analysis of Important Judgements

A number of landmark cases have analysed the judicial approach towards administrative actions. These judgments show how principles and doctrines evolved to guide the courts in dealing with cases related to administration.

Supreme Court in *A.K Kraipak v. Union of India*³² led to the establishment of the principle that administrative decisions could be subject to review for conformity with aspects of natural justice. The Supreme Court also held that the distinction between administrative and quasi-judicial powers had become vague; it also made the point that every decision impacting on individual rights must conform to natural justice.

In *Union of India v. G. Ganayuthum*³³ the Supreme Court held that the principle of proportionality was borrowed by the Supreme Court in the domain of administrative law. The power to examine whether the means undertaken by the administrative authorities were reasonable and proportionate to the objects could now be exercised by courts.

The Supreme Court also in case of *Vineet Narain v. Union of India*³⁴, held that the role of the judiciary is to facilitate accountability in the exercise of discretionary administrative power in sensitive areas such as corruption and governance.

Also in case of *Centre for Public Interest Litigation v. Union of India*³⁵, Supreme Court held that arbitrary administrative decision-making in the utilization of natural resources, thus once again reiterating their demand to make administrative decisions clear and just.

Challenges Confronted by Judiciary in Regulation of Administrative Cases

Even though judiciary plays a very significant role in regulation of administrative actions, however, the judiciary faces certain challenges in effective regulations of administrative

³²AIR 1970 SC 150

³³ (1997) 7 SCC 463

³⁴ (1998) 1 SCC 226

³⁵ (2005) 8 SCC 202

actions. Some of them are as follows:

1. With an overwhelming number of cases, ranging from administrative actions, judicial systems are overburdened with the resultant delay and failure in offering justice timely.
2. Relatively, modern administrative decisions are shrouded in a veil of technicality or policy concerns that lie beyond the judicial expertise. It is hard for Courts, generally, to strike a balance between owing deference to administrative authorities on the expertise sought to be acquired vis-à-vis the need for accountability.
3. Judicial interference in administrative matters often leads to protests over the intrusion of the courts into the domain of the executives. It is a very sensitive point at which courts need to tread, maintaining its overview without crossing limits into the turf of the other branches of power.
4. Although there are proportionality and reasonableness but a few important examples of emerging standards of judicial review, they remain vague and consonant in their application.
5. The Courts often face difficulty in deciding cases based on public policy in the decisions made by the administrative authorities. The complexity involved in making a decision on policy renders it impossible to apply judicial review without substituting the judicial wisdom for administrative discretion.
6. The judicial over-exuberance in administrative matters may become a hindrance to governance and make the administration ineffective. Courts need to show restraint not to turn into an alternative policy forum.

SUGGESTIONS AND CONCLUSIONS

Suggestions:

1. **Proper Guidelines for Judicial Review:** The judiciary must develop a clear and consistent guidelines to evaluate administrative actions. For this purpose, decisions must be made on settled principles of law so as to reduce confusion and

inconsistencies in judgments. For strengthening this some doctrines such as proportionality, reasonableness, and legality can be used as a structured methodology towards assessing fairness in administrative actions.

2. **Enhancing transparency and accountability in Administrative Mechanisms:** The administrative bodies must ensure that their practices are transparent, accountability extended, and judicial intervention kept at a minimum standards. It can be done by making sure decisions are made on clear criteria, well documented, and open to public scrutiny.
3. **Streamlining the Tribunal System:** One advantage of specialized tribunals is that they can reduce the burden of courts which is related to purely administrative matters. Tribunals must, in turn be adequately funded, and possess requisite expertise, and be independently monitored; hence they may be subjected to judicial review to curb any improper exercise of jurisdiction or arbitrary discretion.
4. **Timely and Efficient Judicial Remedy:** In administrative cases, judicial delay would essentially deprive judicial review of its usefulness. Cases related to administrations would be settled and resolved much more quickly if the judiciary has fast track courts or specialized benches. This would do much good to both efficacy of judicial oversight and faith of public in the system.

Conclusions

It serves to ensure that the rule of law is preserved, the rights of each individuals are protected, and the executive remains within its boundary. It stands strong as an arm to ensure that administrative bodies act within boundaries of their powers, follow due process, and observe constitutional framework. It must ensure on the one hand that the administrative actions are not arbitrary or capricious but must be fair, just, and reasonable. A significant landmark judicial ruling such as *Kesavananda Bharati v. State of Kerala*³⁶ and *Maneka Gandhi v. Union of India*³⁷, which vindicated it's role to ensure that fundamental rights were respected and governmental power was curbed. The judgments in *Minerva Mills v. Union of*

³⁶ AIR 1973 SC 1461

³⁷ AIR 1978 SC 597

India³⁸ established an essential role of the judiciary in a balance between protection of fundamental rights (Part-III of Indian Constitution) and directive principles (Part-IV of Indian Constitution), neither could transgress over the other.

³⁸ (1980) 3 SCC 625

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