PREFACE

Supreme Court’s appellate jurisdiction over administrative decisions under article 136 of the constitution is the thrust area of the thesis. This provision provided the Court an opportunity to evolve norms for the exercise of the power. Special leave appellate jurisdiction directly from orders of tribunals makes the Court unique among other appellate courts. The use of the term ‘tribunal’ in article 136 has an ever widening connotation and makes it a general appellate court in administrative matters. However L. Chandrakumar v. Union of India exposes how such a wide ranged jurisdiction may be affected by internal contradictions existing in the legal system.

The study is exclusively confined to direct appeals from tribunals and never examines cases reaching the Court through High Courts. The enormity of the appellate power in its full magnitude and stature may be observed only in appeals directly from decisions of tribunals. Admission policy laid down by Supreme Court and other statutory restraints are the object of study. The intervention of the Court with decisions of tribunals like industrial, labour, Administrative, Income-Tax, sales tax, land, railway etc. are critically evaluated.

The concept of judicial review and jurisdiction to redecide is analyzed in the context of two landmark judgments like Sampathkumar and Chandrakumar. After L. Chandrakumar the jurisdiction of the Court under article 136 has been dwindled. The enormous power to deal with appeals directly from the tribunal is now non-existent. The recommendation of Report of 215th Law Commission to reconsider L.Chandrakumar is examined.

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