

Constitution.

I. Judicial Review of Administrative action:-

The famous "*Wednesbury Case*" *Associated Provincial Picture Houses Ltd. v. Wednesbury Corpn.*, (1947) 2 All ER 680, is considered to be landmark in so far as the basic principles relating to judicial review of administrative or statutory direction are concerned. The court explained the meaning of the word reasonableness explaining ...

"It is true that discretion must be exercised reasonably a person entrusted with a discretion must, so to speak, direct himself properly in law. He must call his own attention to the matters, which he is bound to consider. He must exclude from his consideration matters, which are irrelevant to what he has to consider. If he does not obey those rules, he may truly be said, and often is said, to be acting 'unreasonably'. Similarly,

founded on the extraneous or irrelevant considerations or is vitiated due to mala fides or patent arbitrariness. (Vide: **Sangeet v. State of Haryana** (2013)2 SCC 452; **Mohinder Singh v. State of Punjab** (2013)3 SCC 294; and **Devender Pal Singh Bhullar v. State** (2013)6 SCC 195.)

XII. SUO MOTU Judicial Review

Where the Court comes to the conclusion that certain orders have been passed illegally and in arbitrary manner, the Court can suo motu exercise the power of judicial review. (Vide: **Chairman and Managing Director B.P.L. Ltd. v. S.P. Gururaja**, AIR 2003 SC 4536).

In **Vinay Kumar v. State of Uttar Pradesh**, AIR 2001 SC 1739, the Court held that Even in cases filed in public interest, the court can exercise the writ jurisdiction at the instance of a third party only when it is shown that the legal wrong or legal injury or illegal burden is threatened and such person or determined class of person is by reason of poverty, helplessness or disability or socially or economically disadvantaged position, unable to approach the court for relief. Thus, from the above it is evident that under ordinary circumstances, a third person, having no concern with the case at hand, cannot claim to have any locus standi to raise any grievance whatsoever. However, in the exceptional circumstances as referred to above, if the actual persons aggrieved, because of ignorance, illiteracy, in articulation or poverty, are unable to approach the court, and a person, who has no personal agenda, or object, in relation to which, he can grind his own axe, approaches the court, then the court may