

Role of Article 32 and 226

Article 32 and 226 of the Indian constitution describe the writ power that the Supreme Court and High Courts. Article 32 and 226 empower the Supreme Court and the High Courts respectively, with the power to initiate an action against a government body in case of violation of rights and liberties of the citizen. In *L. Chandra Kumar v. UOI* (1997), a seven-judge bench said that the power of judicial review is vested in the high courts under Article 226 and in the Supreme Court under Article 32. It is an integral and essential feature of the constitution and constituting part of its basic structure.

Article 32

It is referred to as the 'heart and soul of the constitution' by Dr. Bhim Rao Ambedkar. Article 32 is an important and integral part of the basic structure of the Constitution. Article 32 is a fundamental right envisaged under Part III of the constitution of India. It is a 'right to constitutional remedies' which provides a right to protect other fundamental rights from violation. If any fundamental right is violated by the government, then Article 32 empowers the person whose fundamental right has been violated to approach the Supreme Court for the enforcement of their fundamental rights. Article 32 is meant to ensure observance of rule of law.

Article 32(1) confers the right to approach the Supreme Court for claiming or enforcing the fundamental rights provided under Part III of the Constitution of India.

Article 32(2) confers power to the Supreme Court to issue directions, orders, or writs, namely Habeas Corpus, Mandamus, Certiorari, Prohibition, and Quo Warranto for enforcing those fundamental rights.

Article 32(3) empowers the parliament to confer the power to issue orders, directions, and writs to any other court within the local jurisdictional limits of India.

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