

System of Courts in India

Dr Madhavi Ravulapati

*Assoc. Prof. of Law &
Head-Centre for Public Administration
Dr. MCRHRDIT*

System of Courts in India

- ▶ **At National level – Supreme Court of India**
 - ▶ **At State level – High Court**
 - ▶ **At District and Subordinate level – Subordinate Courts (Civil and Criminal**
- 

Jurisdiction of the Supreme Court

- **Court of Record** (A Court of law which retains written records of its proceedings for perpetual memory & testimony and which has the ability to imprison) . Has power to punish for contempt of itself. (Art-129)
- **Original Jurisdiction.** (Art-131)
- **Highest Court of Appeal** (Articles-132,133,134 & 136)
- **Writ jurisdiction.**(Art-32)
- **Advisory Jurisdiction.**(Art-143)
- Law declared by the Supreme Court **binding on all Courts in India.**(Art-.141)

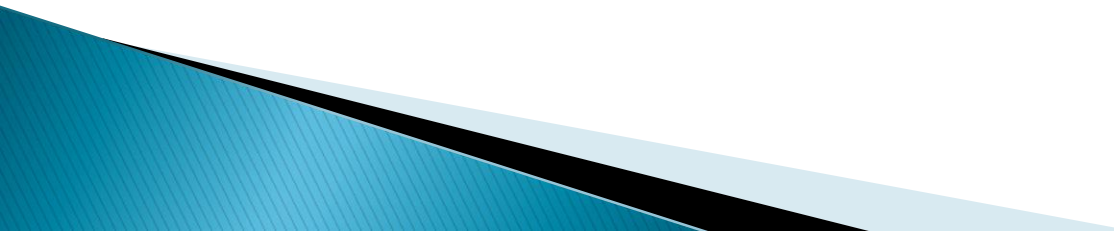
Original Jurisdiction. (Art-131)

SC to the exclusion of any other Court shall have original jurisdiction in any dispute–

- Between Govt of India and one or more States
- Between Govt of India and any State or States on one side or one or more other States on the other.
- Between two or more States
 - if that dispute involves any Question of law or Fact on which existence and extent of a legal Right depends–

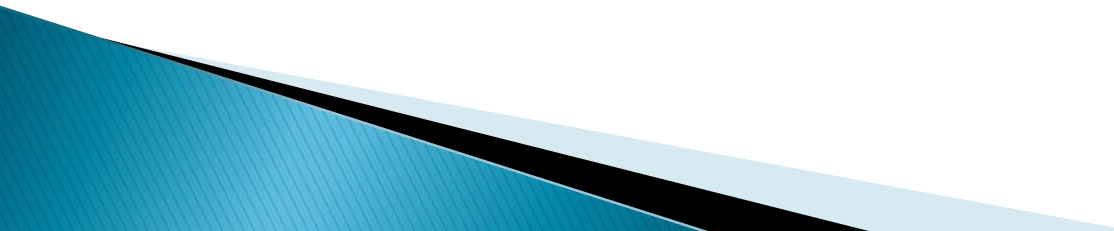
Appellate Jurisdiction–Art 132

Appeal shall lie to SC from–

- From any Judgment, Decree or final order of a High Court
 - Whether Civil, Criminal or other proceeding
 - Involving a substantial question of Law as to the interpretation of Constitution
- 

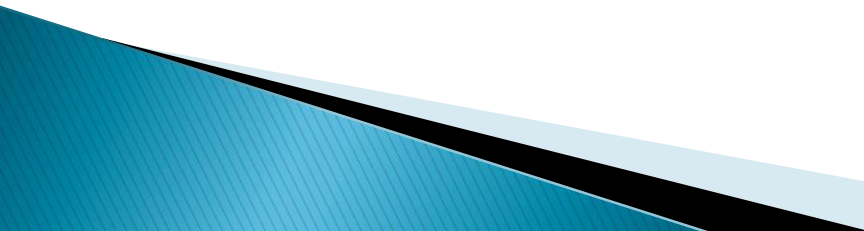
Appellate Jurisdiction in Civil matters–Art133

Appeal shall lie to SC from–

- From any Judgment, Decree or final order in a civil proceeding of a High Court
 - Involving substantial question of law of general importance and the said question needs to be decided by the SC.
 - Involving a substantial question of Law as to the interpretation of Constitution has been wrongly decided.
- 

Appellate jurisdiction in criminal matters – Art-134

An appeal shall lie to SC–

- From any judgment, final order or sentence in a criminal proceeding of a High Court if the HC–
 - Has reversed an order of an acquittal and sentenced the accused
 - Has withdrawn for trial before itself and sentenced the accused to Death
- 

Art-136

- ▶ By special leave the SC can entertain appeal in any cause or matter determined by any court or tribunal in India- save military tribunals is unlimited.

Jurisdiction of the High Court

- ▶ **Court of Record**. Has power to punish for contempt. (Art-215)
- ▶ In civil and criminal matters in the case of some High Courts.
- ▶ **Appellate jurisdiction** in respect of criminal and civil cases decided by Subordinate courts.
- ▶ **Revisional Jurisdiction** conferred under the Civil Procedure Code and Criminal Procedure Code.
- ▶ **Writ jurisdiction**. (Art-226)
- ▶ **Administrative Jurisdiction** over subordinate courts.

Civil Courts subordinate to the High Court

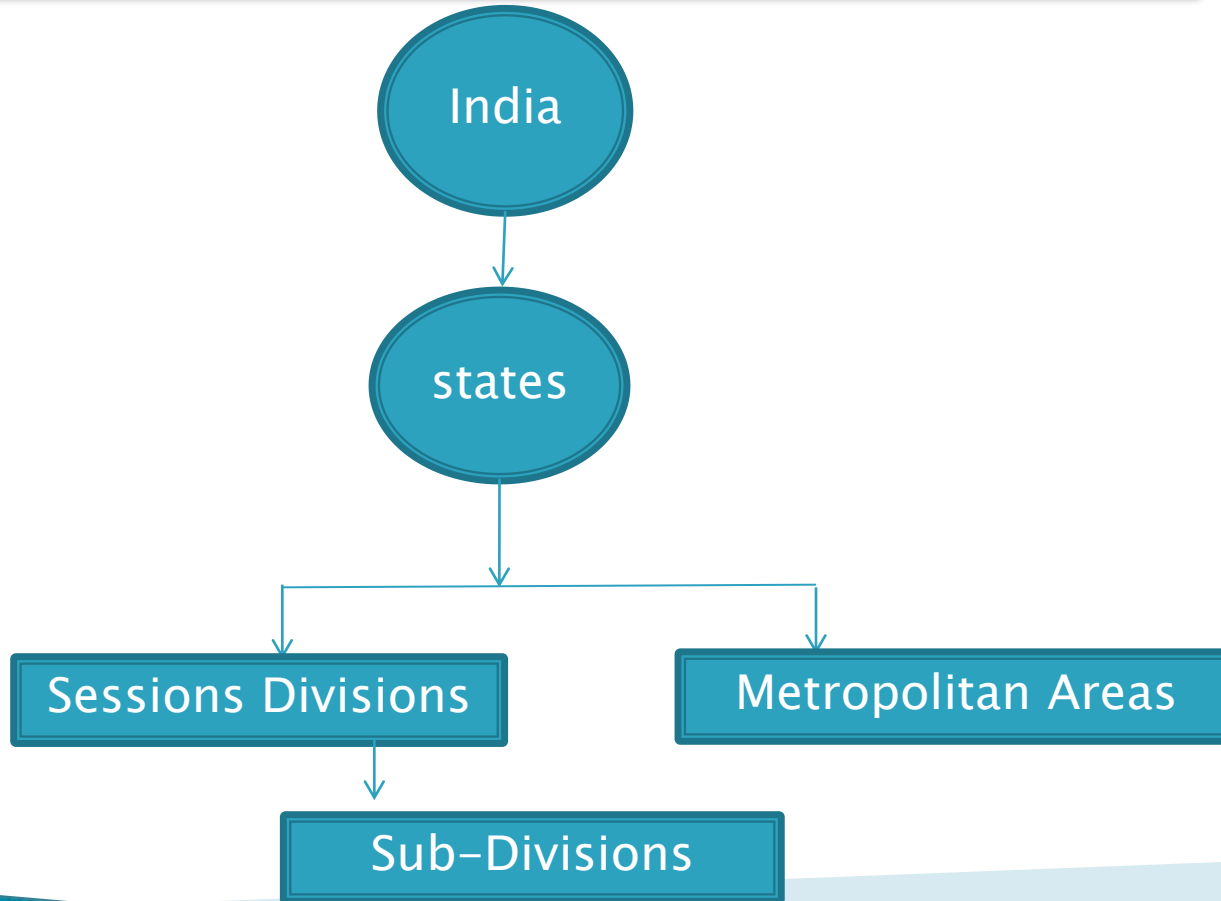
In Metros

- Chief Judge and Additional Chief Judge
- Second Grade
Assistant Chief Judge or Senior Civil Judge
- Third Grade
Munsif or Junior Civil Judge

In Districts

- District Judge and Additional District Judge
- Second Grade
Assistant District Judge or Senior Civil Judge
- Third Grade
Munsif or Junior Civil Judge

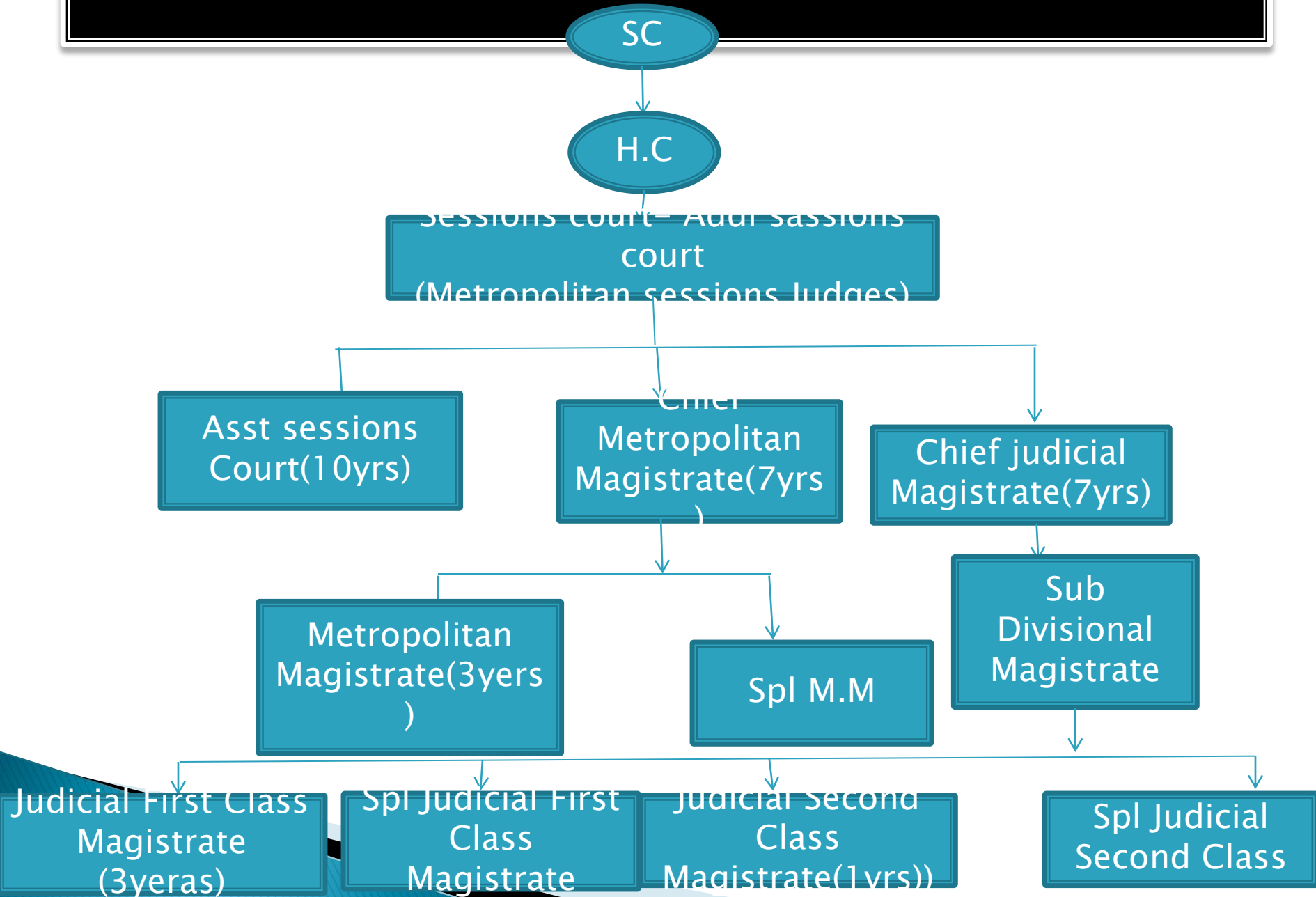
TERRITORIAL DIVISION



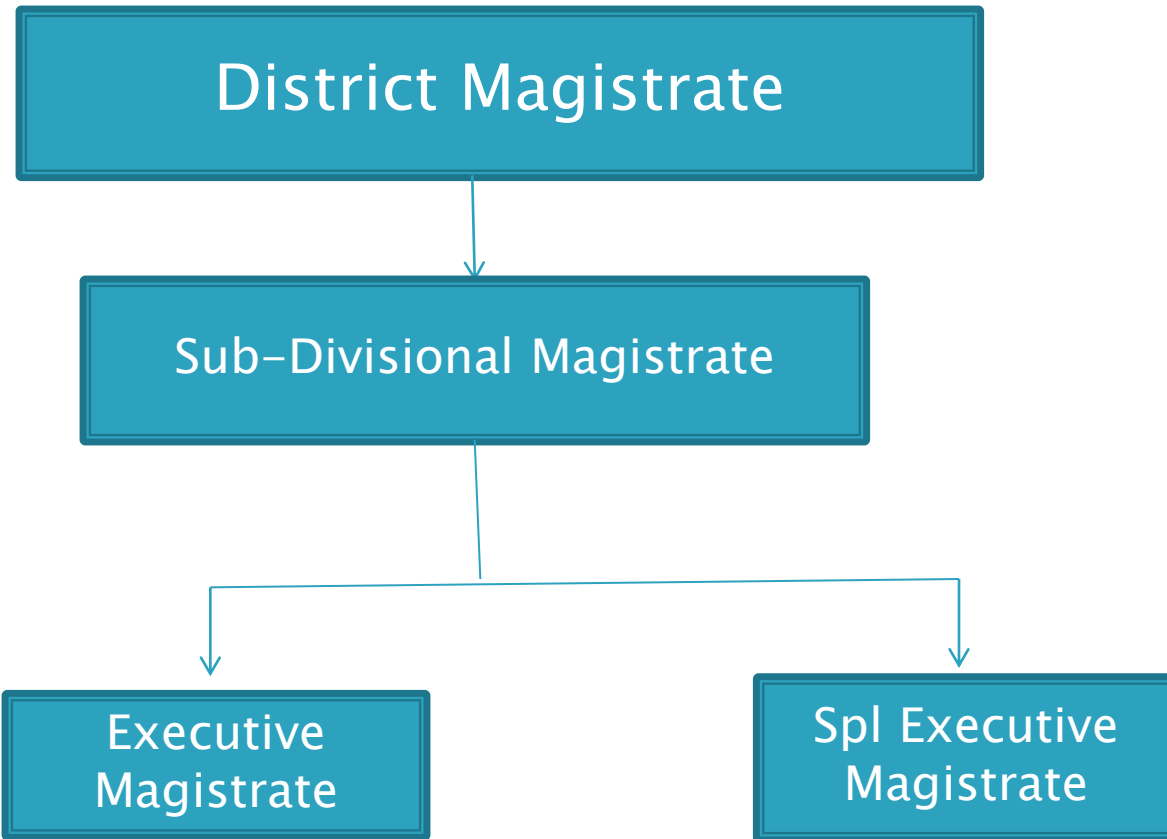
Criminal Courts Subordinate to the High Court

- ▣ **Sessions Court**
(Sessions Judge, Addl. Sessions Judges and Asst. Sessions Judges)
- ▣ **Chief Metropolitan Magistrate's Court**
- ▣ **Metropolitan Magistrates' Courts**
- ▣ **Sessions Court**
(Sessions Judge, Addl. Sessions Judges and Asst. Sessions Judges)
- ▣ **Chief Judicial Magistrate's Court**
- ▣ **Judicial Magistrates of First Class.**

Hierarchy of criminal Courts



Executive Magistracy



Executive Magistracy

▶ For Districts

- District Magistrates
- Additional District Magistrates
- Executive Magistrates

▶ For Subdivision

- Sub-Divisional Magistrate
- Additional Sub-Divisional Magistrate
- Executive Magistrates

Thank You

