

# ORGANIZATION AND JURISDICTION OF HIGH COURT INDIAN CONSTITUTION

The High Court is the highest court of appeal in a state in India and plays a vital role in the judicial system. Here's a detailed overview of its organization, jurisdiction, and functions as per the Indian Constitution.

## Organization of the High Court

### 1. Composition

- **Judges:** Each High Court consists of a Chief Justice and other judges, the number of which is determined by the President of India, based on the recommendations of the Chief Justice of India.
- **Appointment:** Judges are appointed by the President of India in consultation with the Chief Justice of India and the Governor of the respective state.
- **Qualifications:** To be appointed as a High Court judge, a person must be:
  - A citizen of India.
  - A qualified legal practitioner for at least ten years.
  - A judge of a subordinate court for at least ten years.

### 2. Structure

- **Principal Seat:** Each High Court has a principal seat in the state capital.
- **Benches:** High Courts may have multiple benches, including division benches (comprising two judges) and single benches (comprising one judge).
- **Specialized Benches:** Some High Courts may have specialized benches for specific types of cases, such as commercial or tax matters.

### 3. Administrative Functions

- The Chief Justice of the High Court oversees the administrative functions and the allocation of cases among the judges.
- High Courts also have the power to frame rules concerning their own procedures and practices.

## Jurisdiction of the High Court

The jurisdiction of the High Court can be classified into several categories:

### 1. Original Jurisdiction

- High Courts have original jurisdiction in certain types of cases, particularly:
  - **Writ Jurisdiction:** Under Article 226 of the Constitution, High Courts can issue writs for the enforcement of fundamental rights and for any other purpose.
  - **Civil and Criminal Cases:** High Courts may hear civil and criminal cases directly, although this is usually limited to specific matters.

## 2. Appellate Jurisdiction

- High Courts have appellate jurisdiction over:
  - **Civil Appeals:** Appeals from lower courts in civil matters.
  - **Criminal Appeals:** Appeals from Sessions Courts and lower criminal courts.
  - **Review of Orders:** High Courts can review their own decisions in certain cases.

## 3. Constitutional Jurisdiction

- Under Article 227, High Courts have the power of superintendence over all courts and tribunals within their jurisdiction, ensuring that the law is administered correctly and justly.

## 4. Advisory Jurisdiction

- High Courts can give advice to the Governor on legal matters under Article 217. This includes advice on the appointment of judges and other administrative matters.

## 5. Power to Issue Writs

- High Courts can issue various writs, including:
  - **Habeas Corpus:** To secure the release of a person unlawfully detained.
  - **Mandamus:** To compel a public authority to perform a duty.
  - **Prohibition:** To prevent inferior courts from exceeding their jurisdiction.
  - **Certiorari:** To quash the order of a lower court.
  - **Quo Warranto:** To challenge the legality of a person holding a public office.

## Conclusion

The High Court is an essential pillar of the Indian judicial system, ensuring justice and upholding the Constitution. Its organization, with a Chief Justice and several judges, along with its extensive jurisdiction—covering original, appellate, constitutional, and advisory functions—enables it to effectively address a wide array of legal issues. Through its powers to issue writs and exercise superintendence over lower courts, the High Court plays a crucial role in protecting fundamental rights and maintaining the rule of law in the state.