BIBLIOGRAPHY

Articles

- Alladi Krishnaswami Aiyar, "The Supreme Court of India: Its Constitutional Importance", AIR 1949 Journal 36.
- Anand A.S. Justice N.D. Krishna Rao Memorial Lecture on Protection of Human Rights- Judicial Obligation or judicial Activism. *National Law School Journal*. Vol. 10, No. 01, 1998 p.17-31.
- Anand, S Aarthi and Naidu, Bhargavi, "Public Trust: In Search of the trust of the Public." Indian Bar Review. Vol.30, No. 01, 2003, p.121-142.
- Ashraf, Md. Ali, "Judicial Legislation and the Doctrine of Separation of Powers" 2 (2)
 Bangalore Law Journal 160 (2008).
- Anand A.S. "Judicial Review- Judicial Activism- Need for Caution" 42 JILI 149 (2000).
- Azad, S A K. "Judicial Activism (Indian judiciary A Saviour of life and personal Liberty)". All India Reporter. Vol. 87, No.02, Feb 2000, p. 17-23.
- Bartels, Lorand, "The Separation of Powers in the WTO: How to avoid Judicial Activism." International and Comparative Law Quarterly. Vol.53, No.04, Oct 2004, p. 861-896.
- Baxi, Upendra, "On the Problematic Distinction between 'Legislation' and 'Adjudication': A Forgotten Aspect of Dominance" 12 Delhi Law Review 3 (1990).
- Baxi, Upendra, "Judicial Discourse: Dialectics of the Face and the Mask" 35 JILI 9 (1993).
- Bhati K S "Judicial Activism in India An Overview." Journal of Constitution and Parliamentary Studies. Vol.42, No.01, Jan-Jun 2008, p.153-156.
- Bhatia, Ravi P. "Evolution of Judicial Activism in India." Journal of Indian Law Institute. Vol.45, No 02, April-June, 2003. p. 262 -274.
- Chaterjee Somnath, "Separation of Powers and Judicial Activism in India" 35 Indian
 Advocate 1 (2007).

- Chaterjee Somnath, "Scheme of Separation of Powers and Checks and Balances in the Constitution" 33 Indian Advocate 9 (2005).
- Clement, Dakas and Dakas, James, "Poverty and Tyranny of Judicial Passivism: Imperative of Judicial Activism in Nigeria." *Journal of Indian Law Institute*. Vol.39, No 02-04, April-Dec 1997. p. 338 -347.
- Cohn, Margit, "Judicial Activism in the House of Lords: A Composite Constitutionalist Approach." Public Law. No.01, Spring 2007, p. 95-115.
- Cohn, Margit & Kremnitzer Mordechai, "Judicial Activism: A Multidimensional Model"
 18 Canada Journal of Law & Jurisprudence 333 (2005).
- Craig, P.P. & Deshpande, S.L., "Rights, Autonomy and Process: Public Interest
 Litigation in India" 9 Oxford Journal of Legal Studies 356 (1989).
- Dam,Shubhankar "From the past to the future: Some reflections on Judicial Activism in Human Rights." Indian Bar Review. Vol.29, No.01, Jan-Mar 2002, p. 169-184.
- Deva, Surya, "Public Interest Litigation in India: A Critical Review" 28 (1) Civil Justice
 Quarterly 19 (2009).
- Devi, Indira, "Muslim Wives Right of Maintenance –Judicial Activism." Supreme Court Journal. Vol.02, No.08, Aug 2001, p.55-61.
- Dorf, Michael C. & Sabel, F., "A Constitution of Democratic Experimentalism" 98
 Columbia Law Review 267 (1998).
- Dubey, Rambabu and Shrivastava, Geeta "The Realistic School and Judicial Activism in India." Central India Law Quarterly. Vol.13, No.04, Oct-Dec 2000, p. 432-441.
- Dwivedi, S.P., "Doctrine of Separation of Powers" 29 Journal of Constitutional and Parliamentary Studies 252 (1996).
- Ervin, Sam. J., "Separation of Powers: Judicial Independence" 35 (1) Law and Contemporary Problems 108 (1970).
- Fairlee, "The Separation of Powers" 21 Michigan Law Review 393 (1922).

- Fatima, Tanzeem "Compensatory Jurisprudence vs. Judicial Activism." *Civil and Military Law Journal.* Vol. 36, No. 02, April- June, 2000. p.121 128.
- Iyer, Krishna V R. "Judicial Activism A Democratic Demand." Indian Bar Review.
 Vol.31, No. 01&02, Jan-June 2004, p.1-10.
- Iyer, Ramaswamy R. "Linking of Rivers: Judicial Activism or error." Economic and Political Weekly. Vol. 37, No. 46, 16 Nov 2002, p 4595-4596.
- Jaswal, Paramjit S. "Judicial Activism: The Genesis and Progress." Indian Bar Review. Vol 28, No. 02&03, Apr-Sep 2001, p. 221-232.
- Jena, Krushna Chandra, "Inter Country Adoption of Children and Judicial Activism in India." *All India High Court Cases.* Vol. 02, No. 04, April 2008, p.58-64.
- Judicial Activism and Conservative Politics by Ernest A Young, University of Colorado Law Review, Vol 73, No 4, 2002.
- Judicial Activism and Conservative Politics by Ernest A Young, University of Colorado Law Review, Vol 73, No 4, 2002.
- Kalpakam P., "Articles 14, 21 of Constitution: Whether trivialised by hurried Judicial Activism of Apex Court?" *Journal of Indian Law Institute*, Vol. 39, No. 01, Jan-Mar, 1997.p.116-118.
- Kabul, Bashan Tikal, "Industry, Industrial Dispute and Workman: Conceptual Framework and Judicial Activism." *Journal of the Indian Law Institute*. Vol. 50, No. 01, Jan-Mar, 2008, p.3-50.
- Kholo. Madhya, "Addressing Judicial Activism in the Indian Supreme Court: Towards an Evolving Debate" 32 Hastings Int'l & Comparative Law Review 55 (2009).
- Mice, Keenan D. "The Origin and Current Meanings of Judicial Activism." California Law Review. Vol.92, No. 05, Oct 2004, p. 1441-1478.
- Kooijmans, Pieter, "The ICJ in the Century: Judicial Restraint, Judicial Activism or Proactive Judicial Policy." International and Comparative Law Quarterly, Vol.56, No. 04, Oct 2007, p. 741-754.

- Krishnaswami, Sudhir & Khosla, Madhav, "Reading A.K. Thakur v. Union of India: Legal Effect and Significance" 43 Economics and Political Weekly 53 (2008).
- Kurup, Apoorv. "Reinterpreting HM Seervais Socialism, Federalism and Judicial Activism for good Governance under the Constitution." *Indian Socio- Legal Journal*. Vol.32, No. 01&02, Jan-Dec 2006, p. 41-56.
- Lahoti, R.C. "Judicial Activism Constitutional Obligation of the Courts." All Indian Reporter. No. 05, May 2005, p. 177-187.
- Lakshmi, Vijaya B. "Judicial Activism An Appraisal of Penal Provisions and Women Empowerment." Supreme Court Journal. Vol. 03, No. 09, Sep 2001, p. 10-13.
- Laxminath, A. & Namballa, Aruna, "Jurisprudence of Judicial Activism and Judicial Restraint" 2 Andhra University Law Journal 125 (1996).
- Maswood, Syed. "Dearth in aids legislation in India vis-a-vis Judicial Activism."
 Central India Law Quarterly. Vol.15, No.01, Jan-Mar, 2002, p.23-31.
- Mehta, Pratap Bhanu, "Judicial Overreach: Its Overwhelming Evidence cannot be Ignored" 35 Indian Advocate 79 (2007).
- Mishra, Ram Kumar "Judicial Activism A Pilgrim of Judiciary. All India Reporter.
 No.02, Feb 2011, p.17-21.
- Naolekar, P P "Judicial Activism and Patent Law." Student Bar Review (Student Advocate) NLSI Review. Vol. 20, No. 02, Dec 2008, p.119-130.
- Narayan, Jitendra. "Judicial Activism and Protection of Human Rights in India." Journal of Constitution and Parliamentary Studies. Vol.35, No.3&4, Jul-Dec 2001, p.111-123.
- Ojah, O.P. "Prisons and Social Justice: A Critical Study of Judicial Activism in Prison Jurisprudence." Central India Law Quarterly. Vol.15, No.03, Jul-Sep 2002, p.262-292.
- Ostwal, Abhaykumar, "Judicial Activism versus Doctrine of Separation of Powers." All India Reporter Vol 96, No.09, Sep 2009, p.142-144.
- Puneeth. P, "Administrative law" XLIII Annual Survey of Indian Law 1 (2007).

- Rajeev D, "Separation of Powers and Judicial Activism: Tradition versus Modernity"
 21 Cochin University Law Review 329 (1997).
- Rao, Rega Surya. "Judicial Activism and Public Awareness The Role of State and Non Governmental Organisations. *Karnataka Law Journal*. Vol.01, No. 02, 15 Jan 2011 p.28-32.
- Rao, R.Venkata, "Apple Cart of Separation of Powers and Judicial Activism" 42
 Administrator 129 (1997).
- Rathore, K.S. "Role of Judicial Activism towards Protection and Promotion of Constitutional Rights. All India Reporter Vol 97, No.09, Sep 2010, p.140-144.
- Reddy, G.B. "Supreme Court and Judicial Activism An Overview of its impact on Constitutionalism. Supreme Court Journal. Vol. 03, No. 10, Oct 2001, p. 18-28.
- Robinson, "The Division of Governmental Power in Ancient Greece" 18 Political Science Quarterly (1903).
- Sahoo, Niranjan, "Judicial Activism and Fifty Years of Constitutional Governance in India, *Indian Journal of human Rights*. Vol. 05, No. 01&02, Jan-Dec 2001, p. 69-90.
- Sathe, S.P., "Judicial Activism: The Indian Experience" 6 Washington University Journal of Law & Polity 29 (2001).
- Scott Fruehwald, "If Men were Angels: The New Judicial Activism in Theory and Practice".
- Sharma, G.S., "Horizons of Indian Legal Philosophy" 2 Jaipur Law Journal 180 (1962).
- Shrivastava, Geeta "Judicial Activism in India and Abroad." Central India Law Quarterly. Vol.16, No.04, Oct-Dec, 2003, p.431-457.
- Singh, H.H., "Importance of Judicial Activism in Preventing Custodial Violence."
 Central India Law Quarterly. Vol.14, No.02, Apr-Jun 2001, p.155-166
- Smithey S.I. and Ishiyama, John "Judicial Activism in Post-communist Politics." Law and Society Review. Vol.36, No. 04, Dec 2002, p.719-742.

- Sobha, I. "Judicial Activism for Gender Equality." Indian Socio Legal Journal. Vol.33,
 No. 01&02, Jun 2007, p. 75-82.
- Subrahmanyam, A. And Sarojanamma, M L "Judicial Activism: A Panacea for Achieving Socio-economic Goals." All India Reporter. Vol.88, No.11, Nov 2001, p.300-304.
- Vadodaria, R.R. "Constitutional Crises and Judicial Activism" *Indian Bar Review*. Vol.
 No.01, Jan March, 2000. p. 69-76.
- Vaidya, Asmita, "SWOT Analysis for Judicial Activism: An Overview." All India Reporter. No.04, Apr 2004, p.116-117.
- Verma, J.S., "The Indian Polity: Separation of Powers" 35 Indian Advocate 29 (2007).
- Vishnupriya, Y. "Judicial Activism for Protection of Children in India." Indian Socio
 Legal Journal. Vol.36, No. 01&02, Jan-Dec 2010, p. 111-120.
- Vishnupriya, Y. "Judicial Review of legislation in India." Indian Socio- Legal Journal.
 Vol.33, No. 01&02, Jun 2007, p. 121-130.
- Young, James. "The Constitutional Limits of Judicial Activism: Judicial Conduct of International Relations and Child Abduction." *Modern Law Review. Vol.66*, No.06, Nov 2003, p.823-836.

Books

- Abraham, Henry J., Judicial Process: An Introductory Analysis of the Courts of United
 States, England and France, Oxford Publishing House, New York 1968.
- Alexandrowics, C.H., Constitutional Developments in India, Oxford University Press,
 London 1957.
- Allen, Carleton Kemp, Law in Making, Clarendon Press, London 1964.
- Andhyarujina, T.R., "Judicial Activism and Constitutional Democracy in India."
 Tripathi, Bombay 1992.
- Arun Mohan, Justice, Courts and Delays Vol I,
- Arun Mohan, Justice, Courts and Delays Vol II,

- Austin, Glanville, The Indian Constitution Cornerstone of a Nation, Clarendon Press, Oxford 1966.
- Basu, Durga Das, Shorter Constitution of India, Wadhwa & Co., Nagpur 2006.
- Baxi, Upendra, Courage, Craft and Contention: The Indian Supreme Court in the Eighties, Tripathi, Bombay 1985.
- Baxi, Upendra, On Judicial Activism, Legal Education and Research in a Globalising India,
- Bhagwati, P.N. Judicial Activism and Public Interest Litigation, Jagrat Bharat, Dharwad 1985.
- Bhatia, K.L. Judicial Activism and Social Change, Deep & Deep, New Delhi 2006.
- Bhatia, K.L., Judicial Review and Judicial Activism, Deep & Deep Publications, New Delhi, 1997.
- Bhure Lal, Judicial Activism & Accountability, Siddharth Publications, New Delhi, 2004.
- Biswaranjan Mohanty, Constitution, Government and Politics in India Evolution and Present Structure, New Century Publications, New Delhi, June 2009.
- B.R. Sharma, Constitutional Law and Judicial Activism,
- Brice Dickson, Judicial Activism in Common Law Supreme Courts,
- B.S.Tyagi., Judicial Activism in India,
- Cardozo, B.N., The Growth of Law, Yale University Press, New Haven 1963.
- Cardozo, B.N., The Nature of Judicial Process, Yale University Press, New Haven 1964.
- D Banerjea, A Subrahmanyam and V Vijayakumar, Judicial Activism, Vikas
 Publishing House Pvt Ltd, 2002.
- Dworkin, Ronald, Law's Empire, Belknap Harvard, London 1986.
- Fali S Nariman, India's Legal System: Can it be Saved?, Penguin Books, 2006.
- Frank, Jerome, Law and the Modern Mind. Sweet & Maxwell. London 1950.
- Freeman, M.D.A. (ed.), Lloyd's Introduction to Jurisprudence, Sweet & Maxwell, London 1994.

- Friedman, W., Law in a Changing Society, Universal Publishing Company, New Delhi
 2003.
- Gajendragadkar, The Indian Parliament and Fundamental Rights, Tagore Law
 Lectures University of Calcutta, Calcutta 1972.
- Garner, Bryan A (ed.), Black's Law Dictionary, West Group, St. Paul Minn 1999.
- Gwyn, G.B., The Meaning of the Separation of Powers, Martinus Nijhoff, The Hague
 1965.
- Hacker, P.M.S. (ed.) & Raz, J. (ed.), Law, Morality and Society: Essays in the Honour of H.L.A. Hart, Clarendon Press, London 1977.
- Hart, H.L.A., The Concept of Law, Oxford University Library, New Delhi 2005.
- Hidaytulla, M. Democracy in India and Judicial Process, Tripathi, Bombay 1972.
- Jaffe. L.L. & Nathanson, N.L., Administrative Law, Little Brown, Boston 1961.
- Jain, M.P., Indian Constitutional Law, Wadhwa & Co., Nagpur 2006.
- Julian Zaiden Benvindo, On the Limits of Constitutional Adjudication: Deconstructing Balancing and Judicial Activism,
- Kate Malleson, The New Judiciary: The Effects of Expansion and Activism.
- Kelsen, Hans, General Theory of Law and State, Russel & Russel, New York 1961.
- Kermit Roosevelt III, The Myth of Judicial Activism, Universal Law Publishing Co Pvt Ltd,New Delhi 2008.
- Khanna, H.R., Making of the Indian Constitution, Eastern Book Company, Lucknow 1981.
- Kirby, Michael, Judicial Activism, Sweet & Maxwell, London 2004.
- Lahoti R.C., Sulekhni Devi Memorial Lecture on Values in a Democracy, ILI, New Delhi 2008.
- Llewellyn, K.N., Jurisprudence: Realism in Theory and Practice, University of Chicago Press, Chicago 1962.
- Maitland, F.W., The Constitutional History of England, Cambridge University Press,
 Cambridge 1961.

- Massey, I.P., Administrative Law Eastern Book Co., Lucknow 2005.
- Munshi, K.M., The President Under the Constitution, Bharatiya Vidya Bhawan,
 Bombay 1963.
- Paton, G.W., Textbook of Jurisprudence, Oxford University Press, London 1964.
- Ram Kishore Choudhury and Tapash Gan Choudhury, Judicial Reflections of Justice Bhagwati, Eastern Law House, New Delhi, 2008.
- Ravi Prakash and Premlata Sharma, Constitution Fundamental Rights and Judicial Activism in India, Mangal Deep Publications, Jaipur, 1997.
- Reddy, G.B., Judicial Activism in India, Gogia Law Agency, Hyderabad 2001.
- Sathe, S.P., Administrative Law, Butterworth, New Delhi 2004.
- Sathe S.P., Judicial Activism in India, Gogia Law Agency, Hyderabad 2002.
- Sathe S.P., Judicial Activism in India: Transgressing Borders and Enforcing Limits,
 Oxford University Press, New Delhi 2002.
- Seervai, H.M., Constitutional Law of India. A Critical Commentary, Tripathi, Bombay 1993.
- Seervai, H.M., Position of the Judiciary under the Constitution of India, Tripathi, Bombay 1970.
- Singh, G.P., Principles of Statutory Interpretation, Wadhwa & Co., Nagpur 2006.
- Stefanie A Lindquist, Measuring Judicial Activism,
- Takwani, C.K., Lectures on Administrative Law, Eastern Book Co., Lucknow 2008.
- The Constitution of India, Universal's, New Delhi, 2011.
- Verma, S.K. & Kusum (ed.), Fifty Years of Supreme Court of India Its Grasp and Reach, Oxford University Press, New Delhi 2000.
- Vile, M.J.C., Constitutionalism and Separation of Powers, Oxford University Press,
 London 1967.
- Wade, E.C.S. & Philips, G.G., Constitutional Law, Glencoe Press, California 1960.
- Wharton's Concise Law Dictionary, Universal Law Publishing Co. New Delhi, 2010.

Internet Sites

- http://www.law.wisc.edu/alumni/gargoyle/archive/17 1/gargoyle 17 1 3.pdf
 Judicial activism in India by Justice PN Bhagvati (accessed on 28 Aug 2011 23:49).
- http://www.hindu.com/2007/04/02/stories/2007040200941000.htm Judicial Activism accessed on 28 Aug 2011 23:55)
- http://lawmin.nic.in/coi/contents.htm accessed on 10 Nov 2011 at 11:29
- M. N. Rao, "Judicial Activism" available at www.geocities.com/borrosia/jud.html (accessed on 02-12-11, 22:33.)

Newspaper Articles

- J Venkatesan, Only Wearer knows where the Shoes Pinches: Supreme Court, The Hindu, Delhi Edition, 31 Aug 2011, p1.
- Kasim Sait, Laudable, The Hindu, Delhi Edition, 05 Sep 2011.
- J Venkatesan, Salwa Judum Review Plea hearing on September 22, The Hindu, Delhi Edition, 10 Sep 2011.
- J Venkatesan, Legislature alone can abolish Death Penalty: Court, The Hindu, Delhi Edition, 14 Sep 2011.
- J Venkatesan, Don't Cross Laxman Rekha, Centre tells Court, The Hindu, Delhi Edition, 23 Sep 2011.
- J Venkatesan, Split Verdict on Centre's Plea to recall black money order, The Hindu,
 Delhi Edition, 24 Sep 2011.
- Special Correspondent, No Organ of State should encroach upon other's functions:
 Meira Kumar, The Hindu, Delhi Edition, 24 Sep 2011.
- J Venkatesan, Special Courts mooted to try cases of Damage to Public Property, The Hindu, Delhi Edition, 23 Nov 2011.
- J Venkatesan, Mindless Land Acquisition will Imperil Food Security, The Hindu, Delhi Edition, 25 Nov 2011.
- R.K. Raghavan, Former Director of CBI, Reversal of a Dangerous Trend, The Hindu, Delhi Edition, 25 Nov 2011.

- Justice A.P.Shah, Retired Chief Justice of the Madras and Delhi High Courts, The Most Precious of all Freedoms, The Hindu, Delhi Edition, 25 Nov 2011, p.11.
- "Just Cool It" Editorial in The Hindu, Delhi Edition, 15 Dec 2011, p.10.
- "Fruit of the poisonous tree" Editorial in The Hindu, Bangalore Edition, 03 Feb 2012, p14.
- "When Court put Government on the mat", Sunday Times of India, Bangalore Edition, 05 Feb 2012, p 17.

