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A Study of Judicial Remedies and Enforcement of Human Rights in India

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ABSTRACT

Judicial remedies play an important role in protecting and enforcing human rights in India. The Constitution provides individuals with legal mechanisms to seek protection when their Fundamental Rights are violated. Article 32 empowers citizens to approach the Supreme Court for the enforcement of Fundamental Rights, while Article 226 gives High Courts wider powers to issue constitutional writs. Courts can issue writs such as Habeas Corpus, Mandamus, Certiorari, Prohibition, and Quo Warranto to protect individual rights and ensure lawful exercise of public authority. The judiciary has also expanded the meaning of the right to life and personal liberty under Article 21, connecting it with dignity, privacy, livelihood, education, and a clean environment. Public Interest Litigation has further strengthened human rights enforcement by allowing courts to address issues affecting disadvantaged and vulnerable groups. Judicial intervention has been particularly important in cases involving custodial violence, discrimination, bonded labour, gender-based violence, environmental protection, and unlawful detention. The Supreme Court and High Courts therefore function as important guardians of constitutional rights. Through judicial review, writ jurisdiction, and progressive interpretation of constitutional provisions, the Indian judiciary helps maintain the balance between state authority and individual liberty. Thus, judicial remedies provide an essential mechanism for ensuring justice, accountability, equality, and effective human rights protection in India.