

Forum on supreme court

[History](#)



**ASSIGN
BUSTER**

REVIEW ON KELO VS. THE OF NEW LONDON (2005) The case Kelo vs. The of New London (2005) witnessed a shrinking level of judicial review. As an outcome of the case no balance was struck in-between the private property rights and the exercise of denunciation powers. Kelo was a case where the wretched consequences of the approach in-between two strands could have been remodeled atleast to some extend striking a balance in-between public interest and economic development. The case itself pointed towards approach of prudential lines of analysis and reasoning setting laws where the use of eminent domain was challenged. The opinion delivered by the justice that the sale of private property for private development fitted within the concept of public use which was under the frame of meaning of the taking clause, was full of flaws. The exercise of the “ eminent domain” powers by any government entity was unsubstantiated. The opinion delivered neglected the interest of the common men as a whole. For the well being of the nation one hopes that such a case and such a Court will meet shortly providing a better means of solution protecting the interest of the common mass. It produced a series of legislative correction in any number of states perhaps even at federal level. The opinion delivered required highly a strike of a better, more reasonable, and fairer balance between the rights of the private property on one side and the power of “ eminent domain” on the other (Delogu, 2006, pp. 46-48).

In light of the above discussion we can conclude that the incident marked loss of the human interest in the combat against the framed jurisdiction. As a learning of the discussed example we all should make an attempt in our own ways to make an amendment of such laws which solely ignore the interest of the mass as a whole rather than striking a balance.

<https://assignbuster.com/forum-on-supreme-court/>

Reference

Delogu E O, (2006), KeloV. City of New London-Wrongly Decided and A missed Opportunity for Principled Line Drawing with Respect To Eminent Domain Takings, Kelo V. City of New London, 58: 1, pp. 46-48