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review. the writ



**ASSIGN
BUSTER**

The real reason for the extension of the scope of the writ of Certiorari was the distrust with which the judges looked upon the numerous statutory bodies that were being brought into existence and vested with large powers affecting the right of the subject and this extension was founded on the plausible plea that these statutory bodies exercised quasi-judicial functions. It is a writ from a Superior Court to an inferior court directing a certified record of its proceedings in a designated case to be sent off for review.

The writ of certiorari is so named because in its original form it required that the King should be “certified of” the proceedings to be investigated and the object was to secure, by the authority of superior court; this jurisdiction of the inferior tribunal should be properly exercised. Object of writ of certiorari: The common law writ called order of certiorari, which has also been adopted by the Constitution of India, is not meant to take the place of an appeal where the statute does not confer a right of appeal. Its purpose is only to determine, on an examination of the record whether the inferior tribunal has exceeded its jurisdiction or has not proceeded according to the essential requirements of the law which it is meant to administer.

In other words the object of this writ is to keep the tribunal within its jurisdiction and to restrain it from acting in excess of it. When a superior court issues a rule on an application for certiorari it is incumbent on the inferior court or the quasi-judicial body to whom the rule is addressed, to produce the entire records before the court along with its return, because non-production of the records completely defeats the purpose for which such writs are issued.