

Right to constitutional remedies (Art. 32)

Right to constitutional remedies is considered as the soul of the constitution. It is also called the safety value which protect all other rights. The Right to constitutional remedies (Articles 32 to 35) allows citizens to file a legal complaint if their fundamental rights are violated. For instance, in the event of imprisonment, any person may file a public interest lawsuit asking the court to determine whether the sentence is under the country's legal provisions. The person must be released if the court determines that it is not. There are several ways to ask the courts to uphold or protect a citizen's fundamental rights. The courts have the authority to issue numerous writs to defend citizens' rights. These are:

- Habeas corpus
- Mandamus
- Writ of Prohibition
- Quo warranto
- Certiorari

The Writ of Habeas Corpus:

The writ of Habeas Corpus means To have a body. It is a powerful safeguard against arbitrary acts not only on private individuals but also on the executive. Anyone can file this writ, including the arrested person, his relatives, friends, etc. This petition will force the arresting authorities to produce the person bodily in court.

The Writ of Mandamus:

The writ of mandamus means we command that this writ commands the person to whom it is addressed to perform a public or quasi-public legal duty that he has refused to perform, which any other legal remedy cannot enforce.

The Writ of Prohibition:

The writ of prohibition simply means to forbid or to stop. The Supreme Court or High Court issues directions to an inferior court or institution of governance, forbidding the latter to continue proceeding in a case above its jurisdiction or to encroach on jurisdiction with which it is not legally vested. The Writ of Certiorari:

Certiorari means to be more fully informed. It is issued to a lower court after a case has been decided by it denouncing or abolishing that order. The objective is to secure that order. The jurisdiction of an inferior court does not encroach on the jurisdiction it does not possess.

The Writ of Quo warranto :

The writ of Quo warranty means by what warrant or by what order or authority. It is a proceeding by which the court inquires into the legality of the claim, which a party asserts to a public office and to remove from his or her employment if the claim is not found.

This allows citizens to move to court if they believe that any of their Fundamental Rights have been violated by the state. Article 32 is also called the citizen's right to protect and defend the Constitution, as the citizens can use it to enforce it through the judiciary. Dr. B. R. Ambedkar declared the Right to constitutional remedies "the heart and soul" of the Indian Constitution. When a national or state emergency is declared, this Right is suspended by the central government.