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## Legacy of law and governance: Tracing British administrative and judicial influence from princely Mysore to Modern India

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### Abstract

The modern Indian judicial and administrative systems continue to reflect deep colonial imprints, many of which originated during British rule. Nowhere is this more evident than in the princely state of Mysore, which underwent profound reforms during the British administration between 1831 and 1881. Mysore was seen as a model state, especially in terms of governance and judicial organization. Simultaneously, India's national judicial system, post-1947, retained structural and procedural aspects of the British model including codified laws, hierarchical courts, judicial review, and adversarial procedures. This article examines the dual legacy of British governance: how it restructured Mysore's administrative and legal institutions in the 19th century, and how those reforms, along with British judicial frameworks, were absorbed into the post-independence Indian judiciary. It also reflects on whether these colonial legacies have strengthened or hindered justice delivery and judicial independence in modern India.

**Keywords:** Colonial judiciary, Mysore State, administrative reform, legal codification, post-independence India, judicial continuity, British governance, legal institutions

### 1. Introduction

India's transition from colonial rule to independence brought significant changes in the political structure but less so in the legal and administrative realms. Many institutions built under British supervision were not dismantled after 1947; rather, they were retained and adapted. This is particularly true for the judicial system, which preserved codified laws, legal procedures, and institutional hierarchies. Princely Mysore governed directly by the British for 50 years became a laboratory for early reforms that shaped its emergence as a well-administered and legally progressive region.

British efforts in Mysore included reorganizing revenue, administration, and most crucially, the judiciary. Courts were systematized and judicial authority was gradually separated from executive power a radical shift from earlier feudal arrangements. Similarly, post-independence India chose not to abandon British-inherited structures but to adapt them to serve a sovereign, democratic purpose. This paper explores the depth of British influence on Mysore's governance and how those reforms laid the groundwork for broader Indian judicial frameworks after independence.

### 2. Review of Literature

A wealth of scholarly work has addressed British colonial influence on Indian governance:

- C. Hayavadana Rao and Lewis Rice documented the administrative framework of Mysore and emphasized its transformation into a modern state under British direction.
- M. Sharma Row chronicled the judicial reorganization in Mysore, highlighting the creation of structured courts and the separation of judiciary from executive roles.
- Studies on India's post-independence judiciary point to the continuation of colonial legal principles. British-era laws like the Indian Penal Code and Civil Procedure Code remain operative, and the structure of courts has changed only marginally since 1947.
- Contemporary legal scholars have noted that while India became a republic, its judiciary largely retained the logic, language, and legacy of British legal systems.

These literatures converge to underline the persistence of colonial frameworks, both regionally (in Mysore) and nationally (in India), in shaping modern governance and law.

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### 3. Objectives of the study

This research seeks to:

1. Trace the judicial and administrative reforms introduced in 19<sup>th</sup> century Mysore under British rule.
2. Analyze the structural and procedural continuities between colonial and post-independence judicial systems in India.
3. Assess whether these continuities have enhanced or impeded judicial independence, efficiency, and access to justice in India.
4. Explore how colonial governance, initially designed for imperial interests, has been adapted to support democratic constitutionalism in India.

### 4. Methodology

This study employs a qualitative historical approach, using:

- **Primary sources:** Government reports of Mysore, administrative proceedings, colonial laws.
  - **Secondary sources:** Scholarly analyses of judicial reforms, books, and journal articles on colonial legal history and Indian constitutional law.
- A comparative framework is applied to draw parallels between reforms in Mysore and institutional continuities at the national level in India.

### 5. Administrative and judicial reform in Mysore under British rule

When the British took over Mysore's administration in 1831, they inherited a loosely organized and often corrupt system. Their mission was to reform rather than revolutionize. Commissioners replaced the rulers as heads of governance. A formal court system emerged: Amildar's Courts, Town Munsiff's Courts, Huzur Adalat, and the Commissioner's Court, covering both civil and criminal jurisdictions. The reforms between 1862–1875 further deepened this structure with the appointment of Judicial Commissioners, District Judges, and the introduction of legal codes and appellate courts.

Criminal justice was brought under clearer procedural rules with defined penalties and jurisdiction limits. For the first time, legal codification became consistent across regions. Importantly, the separation of judiciary and executive powers was progressively implemented, culminating in the establishment of distinct judicial officers and the abolition of administrative interference in civil justice.

### 6. Colonial continuities in post-independence Indian judiciary

Though India adopted a new constitution in 1950, the foundations of its judiciary remained deeply tied to its colonial past. Key features include:

- **Hierarchical courts:** Supreme Court, High Courts, and Subordinate Courts mirror the colonial model.
- **Codified laws:** The Indian Penal Code (1860) and Civil Procedure Code (1859) are still in use.
- **Judicial review:** Courts retained the power to assess the constitutionality of laws a principle first shaped under British influence.
- **Common law tradition:** Precedents and adversarial procedures continue to guide legal interpretation.

The Federal Court (1937) under the Government of India Act, 1935, was replaced by the Supreme Court in 1950, and the High Courts retained their prominence. Thus, the entire architecture of the Indian judiciary is a direct legacy of colonial planning.

### 7. Analysis: Legacy or liability?

#### 7.1 Institutional efficiency and access to justice

While the British introduced order and structure, the system they created was also slow, elitist, and inaccessible to the average Indian. Post-independence India continues to struggle with these issues: case backlogs, procedural delays, and costly litigation.

#### 7.2 Judicial independence

The British system ensured centralized control, but judicial autonomy was limited. Today, the Indian judiciary operates independently, but the mechanisms of judicial appointments and delays in reforms continue to reflect colonial-era inefficiencies.

#### 7.3 Reforms and adaptation

While India has implemented progressive judicial reforms such as Public Interest Litigation and constitutional remedies the core structure remains unchanged. Efforts to decentralize justice and improve legal access are often hindered by the rigidity of inherited systems.

### 8. Conclusion

The influence of British administration on Mysore's judicial and governance systems was profound and transformative. These reforms laid the groundwork for a rational, codified, and hierarchical judicial system one that outlived colonialism and was carried into the Republic of India. However, while these structures provided stability, they also brought limitations in the form of elitism, delays, and procedural complexity. Independent India chose to adapt rather than replace its colonial legal institutions. As a result, India's legal system today remains a hybrid rooted in British traditions but aspiring toward democratic ideals. Understanding this legacy is vital for meaningful judicial reform, ensuring that inherited systems serve the people in a modern, inclusive democracy.

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