

عنوان مقاله:

The nature of judgments of quasi-judicial authorities and its relationship with the principle of res judicata of punishments

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خلاصه مقاله:

One of the important principles discussed in the constitution is the principle of punishment. This means that the punishment sentence must be issued in a competent court. In this case, only judicial authorities and courts of justice are allowed to determine punishments. But on the other hand, it can be seen that in addition to the courts of justice, there are other authorities called quasi-judicial authorities that determine punishments in different areas. The question that exists in this regard is whether the determination of punishment by these authorities does not contradict the judicial principle of punishments? Based on a descriptive and analytical method, after explaining the different answers given to this question, this research has considered the nature of the action of quasi-judicial authorities as a disciplinary and non-judicial matter. In this case, the ruling issued by these authorities has an executive nature, in this case, the rulings issued by these authorities do not contradict the principle of res judicata of punishments. Because the validity of punishments is related to issues that have a judicial nature. If the nature of the action of the quasi-judicial authorities is disciplinary and executive, and it is specifically excluded from the principle of res judicata of punishments.

کلمات کلیدی:

the principle of res judicata of punishments, quasi-judicial authorities, courts of justice, court of injustice, institution of accountability

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