

## Abstract

Even though every administrative authority has the same major mission, that is, working for State, different duty, status of the organization and relationship among administrative authorities may lead to dispute from work between the administrative authorities. Once there is a dispute, importantly it is necessary to settle such dispute which can be done within the administrative branch or which can be submitted to the Administrative Court. This thesis, thus, intends to study on filing an administrative case between administrative authorities. It focuses which cases are the administrative cases that the administrative authority can bring a case to the Administrative Court and which cases should not be submitted to the Court but be resolved within the administrative branch.

This thesis mainly uses the documentary research methodology by comparing legal theories and practices in the issue regarding filing an administrative case between administrative authorities in Thailand and abroad. Thereafter, it analyzes the outcome with the previous decision of the Administrative Court of Thailand on the dispute between administrative authorities. From the study, it finds that the dispute between administrative authorities in the central administration is considered as conflict in competency (Kompetenkonflikt) so it should not let such administrative authorities bring such dispute to the Administrative Court. However, it should settle such dispute within the administrative branch. With regard to the dispute, which the local administration, as a local official legally acting on behalf of the central administration, filed a case against the appellate ruling of the administrative authority or government official, authorizing to review an appeal as specified by law; it cannot bring a case to the Administrative Court as well. On the other hand, if it is the case which the local administration files against the supervisory power of the central administration, having superior power, this case can be submitted to the Administrative Court. In addition, a dispute concerning claim for compensation from a wrongful act between administrative authorities has to be in accordance with the Cabinet Resolution on Administrative

Dispute Settlement between Administrative Authorities. This Resolution prohibits the administrative authority to file a case to the Administrative Court. However, in case that the administrative authority as an injured party wishes to claim damages from the other administrative authority in which the wrongdoing official works, this case can be brought to the Administrative Court. This is due to the fact that this dispute is actually between administrative authority and the wrongdoing official but the law mentions that it has to sue the original affiliation only. In relation to the dispute between administrative authorities which has to file to the Court, before taking the case into account, the Administrative Court has to consider issues relating jurisdiction and preconditions before filing the case as well.