BLOGS

9 Landmark Cases on Constitutional Law for CLAT PG 2026

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Here is a list of 9 Landmark Cases on Constitutional Law. These cases are important not only for your college exams but also for various other competitive exams!

Marbury v. Madison (1803)

In this landmark case, the Supreme Court established the principle of judicial review, asserting its authority to interpret and invalidate acts of Congress that are inconsistent with the Constitution.

Chief Justice Marshall ruled that:

- The Constitution is the supreme law of the land.
- The judiciary's duty is to interpret the law and ensure that no law or governmental action violates the Constitution.

ADM Jabalpur v. Shiv Kant Shukla (1976)

The *ADM Jabalpur v. Shivkant Shukla* case, also known as the *Habeas Corpus* case has been widely criticized for undermining fundamental rights during a time of political crisis.

On April 28, 1976, the Supreme Court, in a 4-1 majority, delivered its judgment. The majority (Chief Justice A.N. Ray, Justices M.H. Beg, Y.V. Chandrachud, and P.N. Bhagwati) ruled in favor of the government and held that during a state of Emergency, the government could suspend the right to life and liberty under Article 21. This judgment was widely criticized and later overruled.

Justice H.R. Khanna delivered a strong dissent and held that the right to life and liberty is fundamental and cannot be suspended, even during an Emergency.

Obergefell v. Hodges (2015)

This landmark case legalized same-sex marriage nationwide, affirming that the fundamental right to marry extends to same-sex couples. It marked a major milestone in the LGBTQ+ rights movement.

The lead plaintiff, James Obergefell, sued the state of Ohio because it refused to recognize his marriage to John Arthur, who had died shortly after their wedding. Obergefell sought to have his name listed as the surviving spouse on Arthur's death certificate, which the state refused because of its ban on same-sex marriage.

The plaintiffs argued that state bans on same-sex marriage violated both the Due Process Clause and the Equal Protection Clause of the Fourteenth Amendment. On June 26, 2015, in a 5-4 decision, the Supreme Court ruled in favor of the plaintiffs, holding that same-sex couples have a constitutional right to marry.

A.K. Gopalan v. State of Madras (1950)

AK Gopalan v. State of Madras dealt with interpretation of fundamental rights, particularly the meaning and scope of Article 21 and Article 19. The case is notable for the Supreme Court's narrow interpretation of personal liberty and its refusal to adopt the doctrine of "due process of law" as found in the U.S. Constitution. However, the judgment was later overruled in Maneka Gandhi v. Union of India, which gave a broader interpretation.

Maneka Gandhi v. Union of India (1978)

This case expanded the scope of Article 21, the right to life and personal liberty. The Supreme Court ruled that this fundamental right is not limited to mere physical existence but includes the right to a meaningful life and fair procedure, ensuring that laws infringing on personal liberty are just, fair, and reasonable.

The case marked a major departure from earlier restrictive interpretations and established that the fundamental rights enshrined in the Constitution are not isolated but interconnected.

S. R. Bommai v. Union of India (1994)

SR Bommai v. UoI primarily dealt with the constitutional limits of the President's power under Article 356, which allows for the imposition of President's Rule in states. This case redefined the

scope of judicial review in matters related to the dismissal of state governments and laid down important guidelines to prevent the misuse of Article 356. It emphasized the importance of federalism and the need for substantive reasons to impose President's Rule in a state.

Mohammed Ahmed Khan v. Shah Bano Begum (1985)

Shah Bano, a mother of five children, sought maintenance from her husband under Section 125 of the Criminal Procedure Code, 1973 (CrPC), which applies to all citizens irrespective of their religion.

Under Section 125 CrPC, a person who has sufficient means is obligated to provide maintenance to their wife if she is unable to maintain herself after the divorce. Shah Bano argued that her husband, despite having sufficient means, refused to support her financially.

The Supreme Court held that Muslim women were entitled to maintenance after divorce, even beyond the iddat period. This decision raised questions about the Uniform Civil Code and women's rights in India. The Court ruled that the purpose of Section 125 CrPC was to protect the fundamental rights of women to live with dignity and not to interfere with personal religious laws.

Navtej Singh Johar v. Union of India (2018)

The movement to repeal Section 377 began in the 1990s, with the Naz Foundation, an NGO advocating for the rights of LGBTQ+ individuals, filing a writ petition in the Delhi High Court. This led to a historic judgment in 2009, where the Delhi High Court decriminalized consensual homosexual acts in private between adults by reading down Section 377.

However, this ruling was overturned by the Supreme Court in Suresh Kumar Koushal v. Naz Foundation (2013), reinstating Section 377. The Court ruled that it was up to the legislature to decide whether to change the law and not the judiciary. LGBTQ+ activists and civil rights groups criticized the decision, and a curative petition was filed. This paved the way for the case Navtej Singh Johar v. Union of India, which challenged the constitutionality of Section 377.

In this case, the Supreme Court decriminalized consensual homosexual acts between adults, striking down Section 377 of the Indian Penal Code. The ruling marked a significant step toward LGBTQ+ rights and equality in India.

Kesavananda Bharati v. State of Kerala (1973)

The case arose from a series of land reform laws passed by the Kerala government under the Kerala Land Reforms Act, 1963. The Act sought to impose ceilings on landholdings and take over excess land from large landowners, including religious institutions. Kesavananda Bharati, the head of the Edneer Mutt (a religious institution) in Kerala, filed a writ petition under Article 32 of the Indian Constitution, challenging the government's action on the grounds that it violated his fundamental rights, particularly the right to property under Article 19(1)(f) and Article 31.

During the same period, there was a growing concern about the extent to which Parliament could amend the Constitution, especially in light of the First, Fourth, and Seventeenth Constitutional Amendments, which had been passed to facilitate land reforms and protect them from judicial review by placing them in the Ninth Schedule of the Constitution. This had led to a conflict between the executive and the judiciary over the question of whether fundamental rights could be amended by Parliament.

The Kesavananda Bharati judgment was delivered by a 13-judge bench, making it the largest bench in the history of the Indian Supreme Court. The judgment was a 7:6 majority decision, and the Court held that while Parliament has wide powers to amend the Constitution, it cannot alter or destroy its "basic structure".

It ruled that while Parliament has the power to amend the Constitution, it cannot alter its "basic structure." This decision safeguarded fundamental principles like democracy, the separation of powers, and individual rights.

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