BLOGS

Landmark Judgements on Constitutional Law- III

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Here are a few landmark cases on Constitutional Law to help you prepare better for CLAT.

- PUDR v UoI: SC held that a person who provides labor or service to another for less than the minimum wage will be said to be under forced labor.
- Bachpan Bachaao Andolan v. UoI: SC held that sexual, physical and emotional abuse of children detained in circus is violation of Art. 21.
- S.P Mittal v UoI: SC held that religious denominations must satisfy the following criteria: – It must a group of individuals with a collective system of belief about their spiritual well-being – It must have a common organization – It must be designated by a distinctive name
- Daryao v. State of UP: When the matter has been heard and decided by the High Court under Article 226, the writ under Article 32 is barred by the principle of res judicata.
- Nilabati Behera v. State of Odisha: SC dealt with custodial torture and death in this case and awarded compensation to the family of the deceased who died in police custody.
- Indian Young Lawyers Association v. State of Kerala: Right to freedom of religion is not absolute and must be harmonized with other liberties and freedoms and is subject to constitutional morality.
- A. K Gopalan v. State of Madras: Personal liberty in Art.21 means the liberty of the physical body and nothing else. Procedure established by law doesn't mean due process of law.
- Maneka Gandhi v. UoI: The procedure established by law should be just, fair and reasonable.
- Joseph Shine v. UoI: Section 499 of the IPC was held to be unconstitutional as it violated Art.21 by violating women's right to dignity.
- Navtej Singh Johar v. UoI: SC declared Section 377 of the IPC (criminalized homosexual acts) unconstitutional.
- Paramanand Katara v. UoI: SC held that all doctors are obliged to extend medical assistance immediately without asking for any legal formalities.

- Murli S. Deora v. UoI: In this case, the SC directed Government to issue orders to ban smoking in public places.
- Justice K.S. Puttaswamy v. UoI: SC held that right to privacy is a fundamental right and is protected under Art. 21. In this case, the SC also upheld the validity of Aadhar after striking down a few provisions.
- Re-Ramlila Maidan Incident v. Home Secretary, UoI: SC held that the right to sleep is a fundamental right.
- Gian Kaur v. State of Punjab: SC held that the 'right to life' does not include the 'right to die'.
- Aruna Ramchandra Shanbaug v. UoI: In this case, the SC held that in certain cases passive euthanasia is allowed.
- National Legal Service Authority v. UoI: SC held that self-determination of gender is a part of personal liberty guaranteed under Art. 21.

You can go through the first part of the article here.