

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.