Constitutional Law: Landmark Cases

115 cases in chronological order (1949 to 2026), each with its key point

LAWPREPPER
FREE NOTES

No.	Year	Case and key point
1	1949	**A.H. Wadia v. Income Tax Commissioner, Bombay** Territorial nexus: validity of extra-territorial legislation (Federal Court)
2	1950	**A.K. Gopalan v. State of Madras** Art. 21 “procedure established by law”; Fundamental Rights read as separate compartments
3	1950	**Romesh Thappar v. State of Madras** Freedom of the press is part of Art. 19(1)(a)
4	1950	**Brij Bhushan v. State of Delhi** Pre-censorship of a newspaper violates Art. 19(1)(a)
5	1951	**Shankari Prasad v. Union of India** Parliament can amend Fundamental Rights; First Amendment upheld
6	1951	**State of Madras v. Champakam Dorairajan** Communal G.O. struck down; led to Art. 15(4) (First Amendment)
7	1952	**State of West Bengal v. Anwar Ali Sarkar** Art. 14: test of reasonable classification
8	1955	**Bengal Immunity Co. v. State of Bihar** Art. 286 sales tax; Supreme Court not bound by its own earlier decisions
9	1955	**Bhikaji Narain Dhakras v. State of M.P.** Doctrine of eclipse
10	1958	**Express Newspapers v. Union of India** Working Journalists Act and freedom of the press
11	1958	**In re Kerala Education Bill** Minority educational institutions (Art. 30); harmonious construction of FRs and DPSPs
12	1959	**Basheshar Nath v. Commissioner of Income Tax** Fundamental Rights cannot be waived
13	1960	**In re Berubari Union** Cession of territory needs an amendment under Art. 368; Preamble not part of the Constitution (reversed in Kesavananda)

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14	**1960**	**Hamdard Dawakhana v. Union of India** Commercial advertisement not protected as free speech (position revised in Tata Press, 1995)
15	**1961**	**Daryao v. State of U.P.** Res judicata applies to writ petitions under Art. 32
16	**1962**	**Sakal Papers v. Union of India** Price and page regulation of newspapers violates Art. 19(1)(a)
17	**1963**	**Kharak Singh v. State of U.P.** Domiciliary visits at night violate Art. 21
18	**1963**	**M.R. Balaji v. State of Mysore** Reservations should generally not exceed 50%
19	**1965**	**Sajjan Singh v. State of Rajasthan** 17th Amendment upheld; Parliament can amend Fundamental Rights
20	**1965**	**In re Keshav Singh (Special Reference No. 1 of 1964)** Legislative privileges and the power of courts
21	**1967**	**Satwant Singh Sawhney v. D. Ramarathnam, APO, New Delhi** Right to travel abroad is part of Art. 21
22	**1967**	**I.C. Golak Nath v. State of Punjab** Parliament cannot amend Fundamental Rights; prospective overruling
23	**1968**	**S. Azeez Basha v. Union of India** AMU held not a minority institution (overruled in AMU v. Naresh Agarwal, 2024)
24	**1970**	**K.A. Abbas v. Union of India** Pre-censorship of films is valid
25	**1972**	**Bennett Coleman & Co. v. Union of India** Newsprint policy violates freedom of the press
26	**1973**	**Kesavananda Bharati v. State of Kerala** Basic structure doctrine
27	**1974**	**E.P. Royappa v. State of Tamil Nadu** New dimension of Art. 14: arbitrariness is the antithesis of equality
28	**1974**	**Ahmedabad St. Xavier's College Society v. State of Gujarat** Rights of minority institutions under Art. 30
29	**1975**	**Gobind v. State of M.P.** Right to privacy under Art. 21 (limited)

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30	**1975**	**Indira Nehru Gandhi v. Raj Narain** 39th Amendment clause struck down; free and fair elections are a basic feature
31	**1976**	**ADM Jabalpur v. Shivakant Shukla** No habeas corpus to enforce Art. 21 during the Emergency (Art. 359 order); overruled in Puttaswamy (2017)
32	**1978**	**Maneka Gandhi v. Union of India** Procedure must be just, fair and reasonable; Arts. 14, 19 and 21 read together
33	**1978**	**Sunil Batra v. Delhi Administration** Rights of prisoners; solitary confinement
34	**1978**	**M.H. Hoskot v. State of Maharashtra** Free legal aid and right to appeal under Art. 21
35	**1979**	**Hussainara Khatoon v. State of Bihar** Right to speedy trial under Art. 21
36	**1980**	**Prem Shankar Shukla v. Delhi Administration** Handcuffing only in exceptional cases
37	**1980**	**Minerva Mills v. Union of India** Limited amending power and FR–DPSP balance are basic features
38	**1981**	**Ajay Hasia v. Khalid Mujib Sehravardi** "State" under Art. 12: instrumentality or agency test
39	**1981**	**S.P. Gupta v. Union of India** First Judges case; relaxed locus standi in PIL
40	**1982**	**Prabha Dutt v. Union of India** Right of the press to interview prisoners, subject to their consent
41	**1983**	**Rudul Sah v. State of Bihar** Compensation for illegal detention under Art. 32
42	**1983**	**Deena v. Union of India** Hanging as a mode of execution is valid
43	**1984**	**Bandhua Mukti Morcha v. Union of India** Bonded labour; PIL
44	**1985**	**Bhim Singh v. State of J&K** Compensation for illegal detention of an MLA
45	**1985**	**Indian Express Newspapers v. Union of India** Import duty on newsprint and freedom of the press

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46	1985	**Olga Tellis v. Bombay Municipal Corporation** Right to livelihood under Art. 21
47	1986	**Attorney General of India v. Lachma Devi** Public hanging is unconstitutional
48	1986	**Bijoe Emmanuel v. State of Kerala** No compulsion to sing the National Anthem
49	1986	**Sheela Barse v. Union of India** Rights of children in jails; speedy trial
50	1987	**D.C. Wadhwa v. State of Bihar** Re-promulgation of ordinances is a fraud on the Constitution
51	1988	**A.R. Antulay v. R.S. Nayak** Court can correct its own mistake; act of court shall prejudice no one
52	1989	**Parmanand Katara v. Union of India** Duty to give emergency medical aid to the injured
53	1992	**Mohini Jain v. State of Karnataka** Right to education; capitation fee
54	1992	**Kihoto Hollohan v. Zachillhu** Tenth Schedule upheld; Speaker's decision subject to judicial review
55	1992	**Indra Sawhney v. Union of India** OBC reservation; creamy layer; 50% ceiling
56	1993	**Nilabati Behera v. State of Orissa** Compensation for custodial death
57	1993	**Unni Krishnan v. State of Andhra Pradesh** Right to free education up to 14 years
58	1993	**Supreme Court Advocates-on-Record Association v. Union of India** Second Judges case; collegium system
59	1994	**Joginder Kumar v. State of U.P.** Guidelines on arrest
60	1994	**R. Rajagopal v. State of Tamil Nadu (Auto Shankar case)** Right to privacy and freedom of the press
61	1994	**S.R. Bommai v. Union of India** Art. 356; federalism and secularism are basic features
62	1995	**Tata Press Ltd. v. Mahanagar Telephone Nigam Ltd.** Commercial speech protected under Art. 19(1)(a)

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63	1995	**Secretary, Ministry of I&B v. Cricket Association of Bengal** Airwaves are public property
64	1996	**Chameli Singh v. State of U.P.** Right to shelter under Art. 21
65	1996	**Gian Kaur v. State of Punjab** Right to life does not include the right to die
66	1997	**D.K. Basu v. State of West Bengal** Guidelines on arrest and custodial violence
67	1997	**People's Union for Civil Liberties v. Union of India** Telephone tapping and the right to privacy
68	1997	**L. Chandra Kumar v. Union of India** Judicial review is a basic feature; tribunals subject to High Courts
69	1997	**Vishaka v. State of Rajasthan** Guidelines against sexual harassment at the workplace
70	1998	**In re Special Reference No. 1 of 1998** Third Judges case; collegium of the CJI and four senior-most judges
71	2000	**Lily Thomas v. Union of India** Conversion to Islam for a second marriage; bigamy
72	2001	**AIIMS Students' Union v. AIIMS** Institutional reservation in PG courses struck down (Art. 14); only limited institutional preference allowed
73	2001	**Murli S. Deora v. Union of India** Ban on smoking in public places
74	2002	**Aruna Roy v. Union of India** Value education in the school curriculum; secularism
75	2002	**Rupa Ashok Hurra v. Ashok Hurra** Curative petition
76	2003	**Javed v. State of Haryana** Two-child norm for panchayat elections upheld
77	2003	**Surjit Singh Thind v. Kanwaljit Kaur** Virginity test violates the right to privacy (Punjab & Haryana High Court)
78	2004	**Om Prakash v. State of U.P.** Ban on sale of eggs in Rishikesh upheld as a reasonable restriction
79	2004	**Union of India v. Naveen Jindal** Right to fly the National Flag under Art. 19(1)(a)

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80	2005	**P.A. Inamdar v. State of Maharashtra** No reservation imposed on private unaided institutions
81	2006	**Lata Singh v. State of U.P.** Freedom of adults to marry; inter-caste marriage
82	2006	**M. Nagaraj v. Union of India** Reservation in promotion; conditions laid down
83	2007	**I.R. Coelho v. State of Tamil Nadu** Ninth Schedule laws after 24 April 1973 open to basic structure review
84	2010	**Selvi v. State of Karnataka** Involuntary narco-analysis and polygraph tests violate Arts. 20(3) and 21
85	2011	**Aruna Ramchandra Shanbaug v. Union of India** Passive euthanasia allowed under guidelines
86	2011	**Bachpan Bachao Andolan v. Union of India** Child trafficking and children in circuses
87	2014	**National Legal Services Authority v. Union of India** Transgender persons recognised as the "third gender" with Fundamental Rights
88	2015	**Shreya Singhal v. Union of India** Section 66A of the IT Act struck down
89	2015	**Supreme Court Advocates-on-Record Association v. Union of India** Fourth Judges case; NJAC and the 99th Amendment struck down (4:1)
90	2017	**Shayara Bano v. Union of India** Instant triple talaq unconstitutional
91	2017	**K.S. Puttaswamy v. Union of India** Right to privacy is a Fundamental Right
92	2018	**Navtej Singh Johar v. Union of India** Section 377 IPC read down; consensual same-sex relations decriminalised
93	2018	**Common Cause v. Union of India** Right to die with dignity; living will
94	2018	**Joseph Shine v. Union of India** Adultery (Section 497 IPC) struck down
95	2018	**Indian Young Lawyers Association v. State of Kerala** Sabarimala: exclusion of women aged 10 to 50 held unconstitutional

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96	2018	**K.S. Puttaswamy (Aadhaar) v. Union of India** Aadhaar Act largely upheld (4:1); Section 57 struck down to the extent it allowed private entities to use Aadhaar authentication
97	2020	**Anuradha Bhasin v. Union of India** Internet shutdowns must meet the test of proportionality; no indefinite suspension
98	2022	**Janhit Abhiyan v. Union of India** EWS reservation (103rd Amendment) upheld (3:2)
99	2023	**Anoop Baranwal v. Union of India** CEC and Election Commissioners to be appointed on the advice of a committee of PM, Leader of Opposition and CJI until Parliament makes a law
100	2023	**Government of NCT of Delhi v. Union of India** Delhi Government controls services, except public order, police and land
101	2023	**Supriyo v. Union of India** No fundamental right to marry; Court did not recognise same-sex marriage
102	2023	**In re Article 370 of the Constitution** Abrogation of Article 370 upheld
103	2024	**Association for Democratic Reforms v. Union of India** Electoral Bonds Scheme struck down
104	2024	**Sita Soren v. Union of India** No immunity to MPs/MLAs for bribery; P.V. Narasimha Rao (1998) overruled
105	2024	**State of Punjab v. Davinder Singh** Sub-classification within Scheduled Castes allowed; E.V. Chinnaiah overruled
106	2024	**Aligarh Muslim University v. Naresh Agarwal** Azeez Basha overruled; tests to decide minority status laid down
107	2024	**Property Owners Association v. State of Maharashtra** Art. 39(b): not every private property is a “material resource of the community”
108	2025	**State of Tamil Nadu v. Governor of Tamil Nadu** No absolute or pocket veto under Art. 200; timelines fixed for the Governor; pending Bills deemed assented under Art. 142
109	2025	**Padi Kaushik Reddy v. State of Telangana** Speaker, acting as a Tribunal under the Tenth Schedule, directed to decide defection petitions within 3 months

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110	**2025**	**Jane Kaushik v. Union of India** Transgender teacher denied a job: compensation awarded; right to reasonable accommodation recognised
111	**2025**	**Madras Bar Association v. Union of India** Key provisions of the Tribunals Reforms Act, 2021 (on tenure, age, selection and service conditions) struck down
112	**2025**	**In re Assent, Withholding or Reservation of Bills by the Governor and the President** Presidential Reference (Art. 143): courts cannot fix timelines for the Governor/President; no "deemed assent"; only a limited mandamus for prolonged, unexplained inaction
113	**2026**	**Harish Rana v. Union of India** First application of Common Cause (2018): withdrawal of feeding tube allowed for a patient in a permanent vegetative state
114	**2026**	**Association for Democratic Reforms v. Election Commission of India** Bihar SIR upheld: ECI can carry out a special intensive revision of electoral rolls (Art. 324)
115	**2026**	**State of Tamil Nadu v. Junglee Games India Pvt. Ltd.** Betting on games of skill is "betting and gambling" (Entry 34, List II); States can ban it; not protected by Art. 19(1)(g)