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## LANDMARK SUPREME COURT JUDGEMENTS IN INDIA: SHAPING THE SOUL OF THE CONSTITUTION

*Aditi Raikwar*

India's Supreme Court is not only the greatest judicial institution but also the sentinel of the Constitution with the sacred responsibility to uphold justice, freedom, and the rule of law. With its judicial review jurisdiction, the Court ensures that no wing of the State transgresses constitutional limits. It has in the past rendered milestone judgments that not only settled legal controversies but transformed the trajectory of Indian democracy.

These court decisions have expanded civil liberties, strengthened the institution of federalism, empowered marginalized groups, and corrected legislative defects. Some decisions have redefined the notion of personal liberty, while others have struck down archaic or discriminatory legislation.

This blog attempts to put in the limelight five epoch-making Supreme Court judgments that have left an indelible mark on India's constitutional law, administration, and civil rights, demonstrating the judiciary's unwavering quest to ascertain the spirit of our Constitution.

### WHAT MAKES A JUDGEMENT “LANDMARK”?

A landmark judgment is one that significantly alters or interprets the meaning of the Constitution or the current statutes. Such judgments generally address fundamental rights, fill legislative lacunae, or correct inherent injustices. Their "landmark" nature is due to their long-lasting impact on society, their impact on future legal thinking, and their role in the promotion of constitutional values like liberty, equality, and justice. These judgments generally act as a turning point precedent for judges and lawmakers.

## **LANDMARK JUDGEMENTS AND THEIR SIGNIFICANCE**

### **1. KESAVANANDA BHARATI V. STATE OF KERELA (1973)<sup>1</sup>**

In this landmark ruling, the Supreme Court ruled that while Parliament has broad powers to amend the Constitution, it cannot alter its "basic structure." The case was triggered when Kesavananda Bharati, a religious leader, challenged land reform legislation on his property rights. The Court ruled that fundamental principles such as democracy, secularism, the rule of law, and judicial review were not negotiable. This Basic Structure Doctrine subsequently became a constitutional safeguard against non-democratic amendments, and hence secured the basic nature of the Constitution. It was a watershed in Indian constitutional jurisprudence and one of the most cited judgments in both judicial and scholarly literature.

### **2. MANEKA GANDHI V. UNION OF INDIA (1978)<sup>2</sup>**

In *Maneka Gandhi v. Union of India*, the Supreme Court reinterpreted what Article 21<sup>3</sup>, which insures the right to life and personal liberty, entails. When Maneka Gandhi's passport was confiscated without reasonable hearing, the Court ruled that any procedure that takes away a person's personal liberty has to be "just, fair, and reasonable" and not arbitrary. The judgment overruled the previous narrow interpretation and connected Article 21 with Articles 14 and 19 and laid the groundwork for the procedural due process in Indian law.

### **3. VISHAKHA V. STATE OF RAJASTHAN (1997)<sup>4</sup>**

In *Vishaka v. State of Rajasthan*, the Supreme Court responded to the absence of legal protection against sexual harassment in the workplace in the wake of the gangrape of social worker Bhanwari Devi. In a trailblazing judgment, the Court accorded precedence to constitutional guarantees (Articles 14, 15, 19, and 21) and international treaties such as CEDAW<sup>5</sup> to conceptualize sexual harassment and provide preventive measures. The guidelines were to be applicable until the enactment of proper legislation. The judgment bridged an important legal lacuna and underscored the Court's role in safeguarding women's dignity, equality, and security.

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<sup>1</sup> Kesavananda Bharati v. State of Kerala, AIR 1973 SC 1461.

<sup>2</sup> Maneka Gandhi v. Union of India, (1978) SCR (2) 621.

<sup>3</sup> INDIA CONST. art. 21.

<sup>4</sup> Vishaka v. State of Rajasthan, AIR 1997 SUPREME COURT 3011.

<sup>5</sup> Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW), ratified by India in 1993.

It provided a direct push to the enactment of the Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013<sup>6</sup>.

#### **4. JUSTICE K.S. PUTTASWAMY (Retd.) V. UNION OF INDIA (2017)<sup>7</sup>**

In this historic judgment, nine Supreme Court judges sitting in bench form unanimously held that the right to privacy is a constitutional right under Article 21 of the Constitution. The case was in the backdrop of the Aadhaar scheme and was about issues of government surveillance. The Court held that privacy is inherent to life and liberty and vital to the realization of dignity, autonomy, and freedom of self. It overruled previous judgments that refused constitutional protection to privacy and stressed the requirement that constitutional rights need to evolve over time. The judgment laid the basis for future legal regimes relating to protection of data, digital rights, and bodily autonomy. It reaffirmed the right of the individual to personal privacy in a world characterized by increasing connectivity and pervasive digital intrusion.

#### **5. NAVTEJ SINGH JOHAR V. UNION OF INDIA (2018)<sup>8</sup>**

In Navtej Singh Johar v. Union of India, the Supreme Court decriminalized Section 377 of the Indian Penal Code to the extent of criminality of same-sex relations between consenting adults. The Court held the provision to be inconsistent with Articles 14, 15, 19, and 21 of the Constitution on the grounds that it offended principles of equality, dignity, personal liberty, and freedom of speech. It reiterated supremacy of constitutional morality over societal morality and reaffirmed that LGBTQ+ individuals have the same rights and freedoms as all other citizens. The judgment acknowledged the enormous emotional distress and social stigma suffered by the LGBTQ+ community while reaffirming their rights to love, identity, and privacy. The ruling was a milestone step towards inclusivity and equal citizenship, reordering the legal landscape of queer rights in India and advancing human dignity and justice.

### **CONCLUSION**

India's Supreme Court has repeatedly proved itself to be the defender of constitutional values, thus making justice, liberty, and equality more than ideals to become lived experiences. The trail-blazing judgments studied by Kesavananda Bharati, Maneka Gandhi, Vishaka, Puttaswamy, and Navtej Johar are all milestones in India's judicial and democratic progress. These judgments have significantly contributed to securing the basic architecture of the Constitution, securing

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<sup>6</sup> The Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013.

<sup>7</sup> Justice K.S. Puttaswamy (Retd.) v. Union of India, (2019) 1 SCC 1.

<sup>8</sup> Navtej Singh Johar v. Union of India, AIR 2018 SC 4321.

individual rights, gender justice, privacy rights, and the dignity of marginalized classes, thus changing the State-individual relation.

Apart from being legal milestones, these judgments represent the Court conscious participation in responding to social changes, legislative shortfalls, and the progressive development of human rights principles. They demonstrate that the Constitution works as a dynamic model, meant to develop in consonance with the people that it governs. In a democracy as complex and diverse as India, the judiciary forms a necessary pillar, not only in the exposition of laws but also in shaping the ethical and constitutional course of the country.

As India faces new moral and legal challenges, the Supreme Court's commitment to the constitutional morality and dignity of human kind is more essential to the enforcement of the integrity of the Constitution.