

**JUDICIAL MISCONDUCT IN THE AGE OF AI: THE SUPREME COURT
ON FAKE, AI-GENERATED CASE LAW IN GUMMADI USHA RANI V.
SURE MALLIKARJUNA RAO**

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ABSTRACT

The case of Gummadi Usha Rani & Anr. V. Sure Mallikarjuna Rao & Anr. (2026) highlights a serious institutional concern in the Indian judiciary about the use of Artificial Intelligence in adjudication. The controversy is less about who ultimately succeeds in the property dispute and more about the integrity of the decision-making process: the Trial Court relied on four judgments that turned out to be non-existent, AI-generated “synthetic” citations. These citations appeared facially authentic, with party names, SCC volumes and years, but could not be traced in any standard law report or database. The High Court of Andhra Pradesh acknowledged that the citations were AI-generated and recorded a word of caution, yet chose to affirm the Trial Court’s order on the merits. On 27 February 2026, the Supreme Court treated the matter as one of “considerable institutional concern”, stayed further reliance on the Advocate Commissioner’s report, issued notice to top law officers and the Bar Council of India, and appointed a senior advocate as amicus to examine the systemic consequences of AI-generated fake case law. The order underscores that decisions based on non-existent, AI-generated judgments are not mere errors but “misconduct,” with legal consequences to follow, thereby foregrounding accountability in the age of AI-assisted adjudication.

CASE DETAILS

JUDGMENT CAUSE TITLE: Gummadi Usha Rani & Anr. V. Sure Mallikarjuna Rao & Anr.

CASE NUMBER: Special Leave Petition (Civil) No. 7575/2026.

JUDGMENT DATE (ORDER): 27 February 2026.

COURT: Supreme Court of India.

QUORUM: Justice Pamidighantam Sri Narasimha and Justice Alok Aradhe.

CITATION: 2026 INSC (interim order; final reported citation awaited).

LEGAL PROVISIONS (CONTEXTUAL):

- a) Articles 14, 15 and 16 of the Constitution of India (implicated conceptually in the requirement of equality and fairness in judicial process, though not expressly cited in the order).
- b) Article 142 (Supreme Court's power to do complete justice, relevant to its choice to craft systemic directions in appropriate cases).
- c) Judicial conduct and ethics principles governing integrity, independence and diligence of judges (through judicial ethics guidelines and established standards, though again not named in the text of the 27-02-2026 order).

LAW SUBJECTS: Constitutional Law; Civil Procedure; Judicial Process and Integrity; Artificial Intelligence in Law; Professional Misconduct of Adjudicators.

BACKGROUND OF THE CASE

The dispute began as a civil suit for injunction relating to immovable property, in which the respondents (plaintiffs) sought to protect their alleged possession. During the pendency of the suit, the Trial Court appointed an Advocate Commissioner to inspect the suit property and record its physical features. The petitioners (defendants) filed objections to the Commissioner's report, challenging its findings and perhaps its methodology. By an order dated 19 August 2025, the Trial Court dismissed those objections and, in doing so, cited four decisions as precedents: (i) *Subramani v. M. Natarajan* (2013) 14 SCC 95; (ii) *Chidambaram Pillai v. SAL Ramasamy* (1971) 2 SCC 68; (iii) *Lakshmi Devi v. K. Prabha* (2006) 5 SCC 551; and (iv) *Gajanan v. Ramdas* (2015) 6 SCC 223. The petitioners then approached the Andhra Pradesh High Court under civil revision, contending that these cited judgments were non-existent and appeared to be AI-generated fabrications. The High Court accepted that the citations were AI-generated and fake, sounded a note of caution against such reliance, but nonetheless dismissed the revision petition after concluding that the Trial Court's result could be sustained on merits. Aggrieved by this approach, the petitioners filed SLP © No. 7575/2026 before the Supreme Court.

FACTS OF THE CASE

A seemingly routine injunction suit over land thus became the vehicle for examining AI's impact on judicial decision-making. The appointment of the Advocate Commissioner, a common

procedural step in property disputes, resulted in a report to which the defendants objected. The Trial Court's order rejecting these objections was anchored on four citations that were later discovered to be non-existent in any authentic legal database or law report series. In January 2026, the Andhra Pradesh High Court acknowledged that these authorities were AI-generated "synthetic" judgments, yet held that their non-existence did not vitiate the outcome because the order could stand on independent legal reasoning. When the matter reached the Supreme Court on 27 February 2026, the Bench described the case as raising "considerable institutional concern" about the process of adjudication and the deployment of AI tools in judicial work. The controversy thereby shifted from the immediate facts of an injunction dispute to the broader integrity of the judicial process and the accountability of a court that bases its decision, even in part, on fabricated case law.

LEGAL ISSUES RAISED

1. Whether reliance by a Trial Court on non-existent, AI-generated fake judgments vitiates the resultant judicial order or constitutes judicial misconduct on the part of the adjudicator.
2. Whether the use of synthetic, AI-generated citations is a mere error of judgment or a serious assault on the integrity and credibility of the adjudicatory process.
3. What forms of institutional and individual accountability should follow when AI tools are used to generate, and courts then rely upon, fabricated case law cloaked as precedent.
4. Whether the High Court was justified in deciding the revision petition purely on merits after acknowledging that the Trial Court's supporting authorities were AI-generated and fake, and what safeguards or guidelines are required to prevent recurrence across courts and tribunals.

PETITIONERS' ARGUMENT

The petitioners contended that the Trial Court's reliance on four judgments, which do not exist in any officially reported series or credible database, fundamentally tainted the decision-making process. They argued that such reliance was likely the product of AI tools generating "hallucinated" case law and that this went beyond a curable factual mistake. In their view, an order anchored, even partly, on fabricated precedent undermines the fairness of the proceeding and offends the principle of stare decisis, which presupposes genuinely existing, accessible and verifiable authorities. They challenged both the Trial Court's order and the High Court's decision

that retained the outcome despite acknowledging the fake citations, arguing that no court should validate an order born out of fabrication, regardless of any perceived correctness of the result on merits.

RESPONDENTS' ARGUMENT

At the stage of the 27-02-2026 Supreme Court hearing, the respondents were not represented and no submissions are recorded in the order. However, as reported from the lower court proceedings, the respondents' stance focused on sustaining the injunction and the correctness of the Advocate Commissioner's report regarding property boundaries and physical features. They maintained that the Commissioner's appointment was a necessary procedural step and that any problems with the citations did not alter the underlying factual matrix or the equitable considerations supporting interim protection. Implicitly, they supported the High Court's approach that even if the cited cases were AI-generated and fake, the impugned order could be upheld if it independently satisfied established legal standards for dealing with Commissioner's reports.

JUDGMENT (INTERIM ORDER OF 27-02-2026)

The Supreme Court issued an interim order at the admission stage which, though brief, contains strong normative language about AI-generated fake case law.

a) Ratio-like Core Holding

The Court observed that the matter raises "considerable institutional concern" because it implicates the process of adjudication rather than merely the outcome between the parties. It expressly recorded that the Trial Court had deployed "AI generated non-existing, fake or synthetic alleged judgments" and stated that this has a direct bearing on the integrity of the adjudicatory process. Crucially, the Bench declared that "a decision based on such non-existent and fake alleged judgments is not an error in the decision making. It would be a misconduct and legal consequence shall follow." While framed in an interim order, this language squarely characterizes reliance on fabricated AI-generated case law as misconduct rather than mere error, thereby signalling serious professional and institutional consequences.

b) Observations (Obiter-style)

The Court indicated its intention to examine “consequences and accountability” arising from the trial court’s use of AI-generated synthetic judgments, noting that the issue directly affects the integrity of adjudication. By stressing that it is “compelling” to examine the issue in more detail, the Bench recognized that AI tools, when used to fabricate or hallucinate legal authorities, pose a systemic threat that cannot be treated as a minor procedural irregularity. Though the order does not use the phrase “AI hallucination” verbatim, its description of “non-existing, fake or synthetic alleged judgments” implicitly captures that phenomenon and flags it as incompatible with fair judicial process.

c) Directions and Procedural Orders

- a. The Court issued notice in the SLP, returnable on 10 March 2026.
- b. It directed that, pending disposal of the SLP, “the Trial Court shall not proceed on the basis of the Advocate Commissioner’s Report,” effectively freezing further steps that might have built upon the tainted order.
- c. It took cognizance of the deployment of AI-generated synthetic judgments and decided to examine the “consequences and accountability.”
- d. It issued notice to the learned Attorney General for India, the learned Solicitor General of India and the Bar Council of India, thereby institutionalising the inquiry at the highest levels of the bar and executive law officers.
- e. It appointed Senior Advocate Mr. Shyam Divan to assist the Court as *amicus curiae*, with liberty to nominate an Advocate-on-Record.
- f. These directions collectively transform an individual property dispute into a test case for AI accountability in the judicial system.

CONCLUSION

Gummadi Usha Rani & Anr. V. Sure Mallikarjuna Rao & Anr. Stands as an early, but significant, judicial response to the problem of AI-generated fake case law in India. By explicitly stating that decisions based on non-existent, AI-generated judgments amount to “misconduct” and that legal consequences shall follow, the Supreme Court moves beyond mere caution and treats AI hallucinations as a threat to the integrity of adjudication. The order shifts attention from the correctness of outcomes to the authenticity and reliability of the judicial record, insisting that the process of reasoning must rest on verifiable precedents, not synthetic fabrications. Through notices

to the Attorney General, Solicitor General and Bar Council of India, and the appointment of an amicus, the Court lays groundwork for a broader national conversation, and potentially policy, on the responsible use of AI in courts. Ultimately, the case reinforces that while AI can assist in research and drafting, the non-delegable human duty of verification, scrutiny and adherence to real law remains central to the administration of justice.

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