

State Intervention in Religious Institutions: Impact on Governance and Legitimacy

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The issue of state intervention in religious institutions is a controversial matter that involves the clash between secular governance and religious freedom.

METHODOLOGY- The doctrinal method is used for the collection of secondary data (case analysis, comparative analysis) in this article.

OBJECTIVES- This article examines the various consequences of state interference in religious organizations, its influence on governance, and the perception of legitimacy among followers, and it analyzes the legal frameworks that enable state intervention, encompassing the portions of the Indian Constitution that ensure religious freedom while allowing state control under specific conditions.

FINDINGS- The research indicates that state intervention might enhance administrative efficiency and financial accountability, which may result in better governance. However, it also highlights notable risks such as bureaucratic inefficiency, corruption, and the erosion of religious autonomy.

CONCLUSION- It is notable that although state action may be warranted in specific circumstances, it necessitates an intricate equilibrium to prevent compromising the independence and spiritual influence of religious establishments. The research investigates the complexities of the connections between the state and religion in India by analyzing historical precedents, constitutional provisions, and significant judicial opinions.

SIGNIFICANCE- It explores significant Supreme Court cases, including the Sabarimala and Shirur Mutt cases, to demonstrate how the judiciary establishes the limits of state intervention. The paper examines several instances of state involvement with different religious communities, using case studies of Hindu

temples, Muslim Wakf boards, and Christian church buildings to illustrate the range of approaches.

Keywords: Governance, Impact, India, Intervention, State, Religious Institutions

1. Introduction

In any secular state, the government is obligated to maintain impartiality in religious matters, refraining from showing preference or discrimination towards any particular group. But from various instances, it has been seen that State authorities are strongly motivated to engage in religious matters because they can gain credibility by effectively incorporating religion into their governance. Additionally, independent religions are more prone to questioning the legitimacy of governments and regimes. (Casanova 1994; Künkler and Leininger 2009). [1][2] Nevertheless, if the state interferes in religious organizations, it runs the risk of being viewed as exceeding its jurisdiction or showing a preference towards specific religious activities. This has the potential to erode the state's credibility and pose a threat to the secular fabric of the nation. Government intervention in religious institutions may be necessary to ensure compliance with the legal framework of the state, especially in cases involving financial mismanagement, corruption, or human rights violations. This is commonly regarded as essential to safeguard the welfare of the general people and sustain societal cohesion. But the power has been misused by the state many times.

Religious freedom is a fundamental principle in democratic countries, enabling individuals and groups to freely exercise their religious beliefs without unnecessary intervention. It is a threat nowadays that State intervention might encroach upon this autonomy. Interference in religious institutions by the government, many times, seems to exacerbate terrorism. Government meddling in religious organizations by restricting minority clergy ordination, religious political parties, and office requirements may encourage terrorism (Henne, P. S., 2018). [3] Religious institutions frequently possess profound cultural and spiritual importance for their adherents. The intrusion of state intervention can be perceived as a violation of this revered domain, resulting in opposition and discord.

The matter of state intervention in religious institutions is of great importance as it lies at the crossroads of two fundamental principles: secular governance and religious liberty. The conflict might arise from the contradiction between the state's obligation to maintain law and order and the religious institutions' entitlement to self-governance. Maintaining a delicate equilibrium is essential to uphold the principles of religious freedom while also upholding the principles of the legal system. However, the public's perception of governmental intervention can impact the legitimacy of both religious institutions and the state most. When perceived as excessive or driven by political agendas, such interference can undermine confidence in the government and diminish the ethical influence of religious leaders. The delicate nature of this balance necessitates meticulous deliberation to guarantee that neither secular government nor religious freedom is excessively compromised.

2. OBJECTIVES

The objectives of the study are:

1. To analyze the Historical and Contemporary Contexts of State Intervention
2. To assess the Impact of State Intervention on Governance Structures of religious institutions
3. To propose Strategies for Balancing State Oversight and Religious Autonomy

3. METHODOLOGY

- The researcher has collected data from various sources such as scholarly articles, cases, reports, and internet sources.
- The researcher has analyzed the collected data to highlight the current issue.
- Doctrinal mode of research methodology has been applied here by the researcher to get the findings and conclusion.

STATE INTERVENTIONS IN RELIGIOUS INSTITUTIONS

A "Religious Institution" is defined as an establishment that is dedicated to the advancement of any particular religion or belief system. It encompasses any place or building utilized for communal religious worship, regardless of its given name or description. This definition is comprehensive and comprises Temples, Churches, Mosques, Mutths, Synagogues, and Viharas, as per Section 2(f) of the Religious Institutions Act, 1988.

Religious institutions play a significant role in the cultural, social, and moral aspects of society across the globe for a considerable period of time. They frequently exert substantial influence over their followers and assume crucial roles in influencing ethical standards and community norms. These organizations take a leading role in shaping cultural identity and fostering social harmony in several civilizations, offering direction on matters of spirituality, support within society, and ethical guidance.

State intervention in religious institutions is not a new phenomenon. Throughout history, governments have frequently attempted to control religious practices and organizations for many purposes, such as upholding public order, guaranteeing social cohesiveness, and fostering national unity. State intervention was occasionally implemented to diminish the influence of religious institutions that were seen as posing a risk to political control. Instances of this include the deliberate closure of monasteries during the Reformation in Europe and the strict control of church matters by absolute governments.

In contemporary times, the purposes for state intervention have changed, frequently motivated by concerns regarding transparency, accountability, and safeguarding individual rights. Governments intervene to ensure that religious institutions adhere to regulations regarding financial management, anti-discrimination measures, etc. Figure 1 depicts the comparative analysis between Historical and Contemporary Contexts of State Intervention in religious institutions.

Historical and Contemporary context of State interventions in Religious Institutions

Historical context

Ancient and Medieval Periods- Ancient Indian emperors supported religious activities, temples, and monasteries. Kings like Ashoka supported Hinduism and Buddhism. Brahmanical Hinduism was royally supported throughout the Guptas. In the mediaeval period, Muslim monarchs, especially the Delhi Sultanate and the Mughal Empire, supported diverse religions and practiced religious tolerance. Monasteries, mosques, and temples received royal grants and protection.

Colonial Era- British colonisation established increasing state intervention in religious matters, particularly in the southern regions. The East India Company and the Crown intervened in the administration of temples and their land endowments, leading to the establishment of legal frameworks such as the Religious Endowments Act of 1863 and the Charitable and Religious Trusts Act of 1920, which served to regulate economic control and social stability.

Contemporary Context

Post-Independence Secularism- Independent India embraced the secular paradigm. This concept places all religions on equal footing, allowing state intervention to promote responsibility, enable social reform, secure justice, and uphold equality. Article 25 ensures the freedom of religion, but Article 26 bestows upon religious denominations the authority to govern their internal matters, subject to governmental control aimed at promoting overarching societal goals.

Political Influence and Religion- The rise of religious nationalism, exemplified by the BJP and its ideological foundation in Hindutva, has influenced the state's interaction with religious institutions in contemporary India. The Constitution of India promotes secularism as a fundamental concept. Nonetheless, there have been occasions when political parties, in pursuit of electoral gains, have attempted to interfere in religious affairs.

Figure 1: Historical and Contemporary Contexts of State Intervention

The state's intervention has historically been problematic and continues to be so currently. During the colonial period, governmental oversight of religious organizations frequently incited controversy, manifesting as opposition from local religious leaders. Currently, the state-managed temple administration has challenged religious organizations on the grounds that independent operation contradicts the essence of religious institutions. The political intrusion in religious affairs raises concerns about the state's impartiality on religious issues.

Though, the extent to which the state is involved in the administration of these institutions is a matter of significant contention, prompting inquiries about the equilibrium between religious independence and legitimate state supervision, where the judiciary plays a vital role in addressing and controlling the context. Contemporary Indian courts have navigated the delicate balance between religious freedom and state involvement. Judicial rulings have repeatedly intervened in religious practices that egregiously contravene the fundamental ideals of equality and social justice. These encompass the abolition of untouchability prompted state interference in the temple access rights of Dalits and challenged specific religious institutions regarding their exclusionary practices. The Supreme Court's 2018 ruling in the case of Indian Young Lawyers Association vs The State of Kerala (2018) (The Sabarimala Temple Case),

permitting women's entry into the Sabarimala temple, was a pivotal case in which the judiciary interfered in upholding gender equality inside internal religious practices.

However, the cases of *The Commissioner, Hindu Religious Endowments, Madras v Sri Lakshmindra Thirtha Swamiar of Sri Shirur Mutt* (1954); *Ratilal Panachand Gandhi v State of Bombay* (1953); and *Sri Venkataramana Devaru v State of Mysore*, (1958), serve as examples of the approach taken by the Supreme Court during the initial phase of social transformation. Most of these cases revolved around constitutional arguments related to the infringement of religious denominations' rights, as outlined in Article 26. However, since these instances also encompassed the personal liberties of the leaders of religious groups, the court scrutinized the legality of the laws from the standpoint of both the individual right outlined in Article 25 and the rights specific to religious denominations as outlined in Article 26. Consequently, the distinction in language between the entitlement of an individual and the entitlement of a religious group was eliminated.

Mukherjee J broadly defined the scope of religious freedom for different groups at Shirur Mutt. Regarding the religious denominations' freedom to administer their own religious affairs, as mentioned in Article 26(b) of The Constitution of India, 1950, the judge concluded that this right is separate from the right to manage property as specified in Article 26(d) of The Constitution of India, 1950. He contended that the former is an innate entitlement that cannot be rescinded by any legislative entity. In contrast, the latter can be regulated by legislation that the government possesses the power to implement. Both were restricted by the textual constraints pertaining to 'public health, morality, and order.'

In the Shirur Mutt Case, it was decided in the present case that for a religious trust or institution functioning under a trust, it is imperative to guarantee that adequate administration is maintained for religious trusts and institutions. The state has the authority to regulate the non-religious management of religious organizations, and this objective must be clearly stated in the legislation that grants the state this responsibility. Under these conditions, it is imperative for the government to guarantee that the revenue from the endowments associated with religious organizations is effectively utilized and appropriately allocated for the intended objectives of their establishment or existence. This is also where the concept of essential religious practices was initially proposed. Only religious practices that are integral parts of a religion are eligible for protection under Articles 25 and 26. The government can regulate those that are not.

Again, in the case of *Shri Jagannath Temple Puri Management Committee vs Chintamani Khuntia* (1997), it was held that not all activities associated with a temple are religious in nature. The State can exercise control over the management of a temple and the maintenance of discipline and order within it through appropriate legislation. However, any law that is implemented to assume control of the administration of a temple does not infringe upon the provisions of Article 25 or Article 26 of the Constitution.

The government has the responsibility to regulate and intervene in matters of religious coherence in order to uphold peace and order in society. Nevertheless, it is imperative that this is accomplished while upholding the country's secular principles and the constitutional guarantee of religious freedom.

If we analyze Articles 25, 26, 27, and 28 of the Indian Constitution, it is clear that State has the power to interfere in the matter of religious institutions in various ways. Figure 2 depicts the matters where the state can interfere in religious institutional activities. Such as,



Figure 2: - Matters where state can interfere in Religious Institutions.

- a) The state has the power to regulate and control the administration and management of religious institutions. The state appoints the trustees or management committees.
- b) The government has the authority to intervene in the financial matters of religious institutions by regulating their donations and funds.
- c) The state must establish legislation that regulates the operations of religious institutions. For example, the Hindu Religious and Charitable Endowments Act was implemented in different states.
- d) The state has the authority to enact legislation to eliminate specific privileges or practices that are deemed discriminatory or obsolete—for instance, the elimination of temples' inherited priesthood.
- e) Courts have the authority to intervene in matters concerning religious institutions by interpreting constitutional provisions and laws. This encompasses adjudicating conflicts pertaining to religious practices, property rights, and administrative control.
- f) The judiciary has the ability to safeguard the fundamental rights of individuals, including the right to equality and freedom of religion, by invalidating discriminatory practices carried out within religious institutions.

- g) The executive branch of the government has the authority to issue orders and notifications in order to regulate the operations of religious institutions. These may encompass regulations for the organization of religious festivals, pilgrimages, and other related endeavors.
- h) The government has the authority to intervene in order to safeguard and preserve religious sites that hold historical and cultural importance. This encompasses the tasks of preserving and repairing temples, mosques, churches, and other religious edifices.
- i) The government has the authority to intervene in order to uphold public order and safety during religious events, processions, and gatherings. It can facilitate and settle conflicts within religious communities or between distinct religious factions in order to uphold harmony and prevent clashes.
- j) The government has the authority to implement measures to eliminate discriminatory practices within religious institutions, including untouchability and caste-based discrimination.

The government has implemented specific legislation to provide consistency in the management of religious establishments all over the country, and nearly every state has approved regulations to oversee religious organizations. Figure 3 depicts the Legislative framework enacted by the Centre and State Related to Religious Institutions as follows.

| Legislative Enactments by the Centre | Legislative Enactments by the States |
|--|---|
| <ul style="list-style-type: none">•The Hindu Religious and Charitable Endowments Act of 1959•The Wakf Act of 1995 | <ul style="list-style-type: none">•The Shri Jagannath Temple Act of 1955•The Tamil Nadu Hindu Religious and Charitable Endowments Act of 1959•Maharashtra Public Trusts Act of 1959•The Rajasthan Public Trusts Act of 1959•The Andhra Pradesh Charitable and Hindu Religious Institutions and Endowments Act of 1987 |

Figure 3: Legislative Frameworks as enacted by Centre and State Related to Religious Institutions

However, there are a series of cases where the judiciary stated that state control over religious institutional matters is violative of constitutional rights guaranteed under the freedom of religion.

In the significant legal decision of *S.P. Mittal v. Union of India* (1983), the Supreme Court determined the government's supervision over Hindu temples, which involves the employment of government personnel to oversee temple activities and the allocation of temple revenues for non-religious uses, might be regarded as a violation of this entitlement.

The Supreme Court, in the case of *Seshammal v. State of Tamil Nadu* (1972), while affirming the legality of the HR&CE Act (Tamil Nadu Hindu Religious and Charitable Endowments

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Act, 1959), emphasized the importance of non-interference by the state in religious customs and ceremonies. Nevertheless, it was contended that the state's substantial authority over temple administration, which includes the appointment of trustees and the management of temple money, effectively erodes the autonomy protected by Article 26.

The case of *Dr. Subramanian Swamy vs. State of Uttarakhand* (2020) brought attention to accusations of state power being misused to manipulate religious institutions. The court scrutinized the level of state intervention and the privileges granted to religious groups under Article 26 of the Constitution, which safeguards the freedom to administer religious matters.

The Supreme Court held in *N. Adithayan v. Travancore Devaswom Board* (2002) that all state actions must adhere to the principles of equality and non-discrimination. The state's deliberate interference in the administration of Hindu temples, while excluding similar oversight for religious institutions of other communities, raises significant constitutional concerns. This has triggered allegations of discrimination, as state supervision has been selectively enforced on Hindu temples, which consequently receive more leniency than other religious organizations, such as mosques and churches. The contrast is remarkable when compared to the level of autonomy that Waqf properties possess under the Waqf Act.

Impact of state intervention on religious freedom

The interventions by the state in religious institutions have a negative impact on religious freedom as follows:

- a) **Erastianism:** The state's control over Hindu institutions is extensive, manifesting in an Erastian manner where state authority supersedes religious practices and institutions. This belief argues that governmental engagement conflicts with the secular values provided in the Constitution, consequently restricting the institutional freedom of religious groups, particularly Hindus.
- b) **Judicial Intervention:** The judiciary frequently engages in religious practices, resulting in controversy due to significant rulings viewed as encroachments on religious liberty, which was deemed judicial overreach by many, highlighting the need to reconcile individual rights with religious traditions.
- c) **Disparities in treatment:** The majority of governmental policies merely reflect the inequities in treatment among various religious groups. Although particular laws provide safeguards for minority religions, equivalent scrutiny and regulation are not imposed on majority religions, resulting in allegations of bias and inequitable treatment.
- d) **Public Order and Morality:** Many interferences by the state are consistently rationalized by the necessity of preserving public order and morality. Nevertheless, these measures have primarily curtailed freedom to the degree that they infringe upon essential individual rights of religious expression, as demonstrated during the COVID-19 pandemic, where many religious places of worship were shuttered for health considerations.

Governance of Religious Institutions

Religious governance encompasses the management and administration of religious activity, including financial operations, management of employees, and the enforcement of doctrinal

adherence. State engagement can influence these characteristics via financial regulation, administrative oversight, and legal compliance. Financial regulation guarantees accountability and transparency, whereas administrative control pertains to the appointment of religious leadership and administrations, potentially resulting in conflicts between religious communities and the state if such appointments are viewed as politically motivated or contrary to the institution's traditions. Legal compliance mandates that religious organizations adhere to national laws, encompassing labor rights, anti-discrimination measures, and child protection regulations. Nonetheless, state intervention may result in disputes when certain religious principles oppose secular legislation.

Legitimacy and Autonomy

The apparent autonomy of religious institutions is intricately linked to their legitimacy. Followers perceive these institutions as genuine when they function independently, without external intervention. State action can erode their credibility, resulting in distrust and diminished support from the population. Excessive or politically driven state action might undermine the trust and confidence of followers. Religious groups may perceive such measures as endeavors to exert authority or influence over their beliefs and rituals. In nations that highly prioritize the separation of religion and state, any type of interference is likely to be received with opposition. On the other hand, in cultures where religion and state have a long history of being closely connected, it is more likely that state supervision will be seen as more acceptable. State engagement, when focused on increasing transparency and accountability, can improve the credibility of religious institutions. However, it is important to strike a balance with the principle of religious sovereignty. These interventions frequently seek to combat corruption and foster effective governance. However, they have also generated discussions regarding the secular character of the state and the autonomy of religious institutions. To achieve this equilibrium, it is crucial to establish effective communication and coordination between the state and religious leaders.

Proposed Strategies for Balancing State Oversight and Religious Autonomy

India guarantees religious freedom through constitutional secularism, although the state can intervene in public order, morality, and social justice matters. In such a diverse society where religion dominates people's lives, balancing state power with religious institutions' independence is essential. The following are a few proposals suggested by the researchers in order to achieve the same as those provided in Table 1. Such as:

Table 1: Strategies for Balancing State Oversight and Religious Autonomy

| SL. NO. | Strategies for Balancing State Oversight and Religious Autonomy | |
|---------|---|--|
| 1. | Constitutional Safeguards and Judicial Oversight | The Indian Constitution guarantees religious freedom and allows governmental regulation under Articles 25 and 26. Judicial interpretation will strike a chord with religious autonomy and governmental regulation, balancing state interventions and religious liberty. A uniform definition and interpretation of "essential religious practices" would retain basic practices while allowing state intervention. |
| 2. | Reforming Religious Endowment Laws | <ul style="list-style-type: none">Reform existing laws, such as the Hindu Religious and Charitable Endowments (HRCE) Acts and Wakf Act, to increase transparency and reduce unnecessary state control. |

| | | |
|----|--|---|
| | | <ul style="list-style-type: none"> Independent, autonomous committees for religious institution management can provide accountability without direct state intrusion. Religious leaders, financial specialists, and lawyers may serve on these boards. Integrating independent financial audits and public disclosure can promote transparency and fight corruption without compromising religious institutions' integrity. |
| 3. | Promoting and Encouraging Internal Reforms in Religious Institutions | Encourage religious organizations to have transparent, accountable, and constitutionally compliant internal governance structures. Some Hindu temples and Sikh gurdwaras have decision-making and conflict-resolution committees. The Akhil Bharatiya Akhara Parishad (the Hindu sadhus' supreme organization) and the Shiromani Gurdwara Parbandhak Committee (Sikh gurdwara managers) have shown self-governance. |
| 4. | Differentiating Between Secular and Religious Functions | Separating secular and religious aspects of religious institutions is a major difficulty in Indian state-religion interactions. Clear legal and regulatory frameworks should distinguish religious and secular segments of religious institutions. |
| 5. | Involving Religious Communities in Policy-Making | The state should create consultative committees where religious groups may evaluate in on laws and policies that affect them. This encompasses temple management, endowment, and religious education policies. |
| 6. | Limiting Political Influence on Religious Institutions | Legal reforms should prevent political parties from managing religious organizations or utilizing religious symbols for political mobilization. The Election Commission of India should enforce stricter rules to prevent political parties from utilizing religious institutions for electoral gain, emphasizing the need to separate politics and religion. |
| 7. | Educational and Awareness Initiatives | Public education on religious institutions' rights and responsibilities, as well as secularism's role in harmony, can reduce state-religious friction. Introducing constitutional provisions and state intervention limits can build public support for state oversight. |
| 8. | Minimalist State Intervention | The state should only intervene in religious concerns in cases of mismanagement, corruption, or constitutional rights violations and take targeted, time-bound actions to resolve the issue rather than pursuing long-term control over religious institutions. |

4. Conclusion

The Constitution of India, in conjunction with other federal and state laws, clearly permits government intervention in religious institutions. Nevertheless, Articles 25 and 26 serve as safeguards against excessive governmental authority, which has the potential to undermine the fundamental nature of religion. For example, the government has the authority to oversee the selection of servants and priests for a temple, but it does not have the power to mandate the specific manner in which the priest should perform rituals and ceremonies. State intervention in religious institutions is an intricate and diverse matter. Although initiatives of this nature can enhance good governance, transparency, and accountability, they also present difficulties in maintaining the autonomy and credibility of religious institutions. Attaining equilibrium necessitates a thoughtful examination of the cultural, social, and political circumstances, along with a dedication to preserving the core tenets of religious freedom and self-governance. An effective governance system should prioritize collaboration and conversation between the state and religious institutions. This will help ensure that any interventions are seen as fair,

transparent, and respectful of religious traditions and values. Therefore, governmental intervention in religious establishments is permissible. However, it is crucial for the government to bear in mind that the principles of secularism and religious freedom must also be upheld.

Conflict of interest: The authors declare that they have no conflict of interest.

References

1. Casanova, Jose. 1994. Public religions in the modern world. Chicago: University of Chicago Press.
2. Künkler, Mijam and Julia Leininge. 2009. The multi-faceted role of religious actors in democratization processes: Empirical evidence from five young democracies, *Democratization* 16(6): 1058-92.
3. Henne, P. S. (2018). Government interference in religious institutions and terrorism. *Religion, State and Society*, 47(1), 67–86. <https://doi.org/10.1080/09637494.2018.1533691>
4. Mueller, D. C. (2013). The State and Religion. *Review of Social Economy*, 71(1), 1–19. <http://www.jstor.org/stable/42705089>
5. Buckley, D. T., & Mantilla, L. F. (2013). God and Governance: Development, State Capacity, and the Regulation of Religion. *Journal for the Scientific Study of Religion*, 52(2), 328–348. <http://www.jstor.org/stable/24644012>
6. Fox, J., & Tabory, E. (2008). Contemporary Evidence regarding the Impact of State Regulation of Religion on Religious Participation and Belief. *Sociology of Religion*, 69(3), 245–271. <http://www.jstor.org/stable/20453227>
7. The Constitution of India, 1950
8. The Hindu Religious and Charitable Endowments Act of 1959
9. The Wakf Act of 1995
10. The Shri Jagannath Temple Act of 1955
11. The Religious Institutions Act, 1988, 2(f), 1988
12. The Tamil Nadu Hindu Religious and Charitable Endowments Act of 1959
13. Maharashtra Public Trusts Act of 1959
14. The Rajasthan Public Trusts Act of 1959
15. The Andhra Pradesh Charitable and Hindu Religious Institutions and Endowments Act of 1987
16. The Commissioner, Hindu Religious Endowments, Madras vs Sri Lakshmindra Thirtha Swamiar of Sri Shirur Mutt, AIR 1954 SC 282
17. State of Orissa and Shri Jagannath Temple Puri Management Committee v. Chintamani Khuntia and Ors, Supreme Court of India, on 17 September 1997 [CA No. 3979 of 1995]
18. The Durgah Committee, Ajmer and Anr. v. Syed Hussain Ali and Ors., Supreme Court of India, on 17 March 1961 [(1962) 1 SCR 383 at 411–412]
19. Seshammal & Ors, etc., etc. v. State Of Tamil Nadu, Supreme Court of India, on 14 March 1972, p.832 [AIR 1972 SC 1586, (1972) 2 SCC 11, (1972) 3 SCR 815].
20. Ratilal Panachand Gandhi v. State of Bombay, Bombay High Court, on 12 September 1952 [AIR 1953 Bom 242, (1953) 55 BOMLR 86, ILR 1953 Bom 1187]
21. S.P. Mittal v. Union of India, 1983 AIR SUPREME COURT 1
22. Dr. Subramanian Swamy vs. State of Uttarakhand, 2020 AIR ONLINE UTR 257
23. N. Adithayan v. Travancore Devaswom Board, 2002 AIR SUPREME COURT 3538
24. Sri Venkataramana Devaru v State of Mysore, 1958 AIR 255, 1958 SCR 895
25. Indian Young Lawyers Association vs The State of Kerala, 2018 AIR ONLINE SC 243