

Maneka Gandhi v. Union of India

Constitutional Law · (1978) 1 SCC 248 · 1978

Facts

Passport impounded without reasons.

Issues

Meaning of 'procedure established by law'.

Arguments

Golden triangle of Articles 14, 19, 21.

Decision

Procedure must be fair, just and reasonable.

Legal Principles

Substantive due process introduced.

Ratio Decidendi

Article 21 procedure must satisfy Articles 14 and 19.

Obiter Dicta

Natural justice principles read into statutes.

Important Quotes

- The procedure must be fair, just and reasonable, not fanciful, oppressive or arbitrary.

Exam Notes

Transformative case that overruled Gopalan's compartmentalised reading of rights.

Interview Notes

Bridge case between Gopalan and Puttaswamy.

Precedents

- A.K. Gopalan (overruled)

Articles / Sections

- Article 14
- Article 19
- Article 21