

TITLE: I.R. Coelho v. State of Tamil Nadu (2007)

SITE

Education desk note ? Advocate Adesh Kumar ? <https://advadeshkumar.com/>

CITATION

(2007) 2 SCC 1 | Supreme Court of India | 2007

CASE

I.R. Coelho v. State of Tamil Nadu

FACTS

Challenge concerning laws placed in the Ninth Schedule and the scope of immunity.

LEGAL ISSUES

Are Ninth Schedule laws immune from basic-structure review?

LAW / PROVISIONS

Ninth Schedule; Articles 31B; basic structure after Kesavananda.

HOLDING

Laws inserted into the Ninth Schedule after 24 April 1973 are open to basic-structure review.

KEY TAKEAWAYS

1. Ninth Schedule is not a total basic-structure free zone after Kesavananda.
2. Date line: 24 April 1973 matters.
3. Legislative immunisation tricks face constitutional limits.

SIGNIFICANCE

Closes a major escape hatch from basic-structure review.

PRIMARY SOURCE

<https://indiankanoon.org/doc/1217994/>

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Advocate Adesh Kumar ? Indian legal education desk

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