

TITLE: Maneka Gandhi v. Union of India (1978)

SITE

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

CITATION

(1978) 1 SCC 248 | Supreme Court of India | 1978

CASE

Maneka Gandhi v. Union of India

FACTS

Passport of the petitioner was impounded without a pre-decisional hearing; she challenged the procedure and the rights impact.

LEGAL ISSUES

Can personal liberty under Article 21 be curtailed by any procedure established by law, however unfair?

LAW / PROVISIONS

Articles 14, 19, 21; Passport Act.

HOLDING

?Procedure established by law? under Article 21 must be fair, just and reasonable. Articles 14, 19 and 21 are read together ? due-process content entered Indian constitutional law.

KEY TAKEAWAYS

1. Article 21 is not a formal checkbox ? procedure must be fair.
2. Rights are read as a web, not sealed silos.

3. Administrative action affecting liberty needs fairness.

SIGNIFICANCE

Turns Article 21 into the engine of substantive fairness in Indian public law.

PRIMARY SOURCE

<https://indiankanoon.org/doc/1766147/>

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