

SCO Worksheet: Sabarimala Temple Entry

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It is the morning of November 7th 2016. The State of Kerala has just informed the Court that it supports women's entry into the Sabarimala temple. Confusion ensues—who is opposing the entry of women in the Temple?

Part 1: The parties and the issues

Consider these questions to begin your investigation.

1. Who filed the case? What grounds did they have to approach the Court?
2. Other than the State of Kerala, who are the important respondents? Note down the names of any 2. What is their disagreement with the petitioners?
3. Who are the Judges hearing the case? What was special about the number of Judges on the Bench and the Judges assigned?
4. Are any stakeholders in the Sabarimala issue absent from the list of parties?
5. What are the main issues the court will have to decide on?

Part 2: The argument

6. Petitioners anchored their arguments on women devotees' Right against discrimination and Right to Freedom of Expression. What day were these arguments made and by whom? How did they use Articles 15 and 19?
7. Respondents presented opposing views on how the Right against discrimination was applied in the case. On which day did they argue on this and what did they say?
8. Both parties invoked the Right to Religion in radically different ways. Identify them.

Part 3: The Judgment

9. What did the Court decide?
10. Which Judges wrote separate opinions? Did every Judge hold the same opinion? If not, what did the dissenting opinion say?

11. What did each of the Judges hold? Fill the judgment matrix below.

	Justice D. Misra (A.M. Khanwilkar)	Justice R. Nariman	Justice D.Y. Chandrachud	Justice Indu Malhotra
Does the custom violate the right against discrimination under Article 15?				