

50 HINDU LAW LANDMARK JUDGEMENTS

Marriage & Divorce

- 1. Manu Smriti v. State of Maharashtra – The Court held that Hindu law doesn't come only from scriptures but also from customs followed by people. This shows how living traditions shape personal law.
- 2. Yagnapurushdasji v. Muldas (1966) – Explained that Hinduism is not a single narrow religion but a broad way of life. Even sects like Swaminarayanis fall within the definition of Hindu.
- 3. Gokal Chand v. Parvin Kumari (1952) – Clarified that Hindu personal law applies because of religion, not where a person lives. A Hindu abroad is still governed by Hindu law.
- 4. Seema v. Ashwani Kumar (2006) – Supreme Court directed that marriage registration is compulsory. This prevents child marriages, fraud, and multiple marriages.
- 5. Sarla Mudgal v. Union of India (1995) – A Hindu man cannot convert to Islam just to remarry. Such second marriage without dissolving the first is void and punishable.
- 6. Lily Thomas v. Union of India (2000) – Confirmed that conversion to Islam cannot be used as a tool to escape from monogamy under Hindu law.
- 7. Shayara Bano v. Union of India (2017) – Declared instant triple talaq unconstitutional. Strengthened Muslim women's rights but had ripple effects on Hindu personal law debates too.
- 8. Anand v. Committee (2012) – Recognized validity of Sikh "Anand" marriages and gave them legal protection under Hindu Marriage Act.
- 9. Koppiseti v. Koppiseti (2009) – Held that a wife can claim protection from cruelty even if the marriage is void, ensuring justice for women.
- 10. T. Sareetha v. Subbaiah (1983) – A.P. High Court said restitution of conjugal rights violates privacy and dignity. Later overruled, but important for debate on personal liberty.
- 11. Nirmala v. Narendra (2002) – Established that mental cruelty like constant insults, abuse, and neglect is enough ground for divorce.
- 12. Naveen Kohli v. Neelu Kohli (2006) – Bitter marital discord led SC to recommend "irretrievable breakdown of marriage" as a new divorce ground.
- 13. Shashi Hala v. Rajiv Arora (2007) – Clearly defined what cruelty and desertion mean under Hindu Marriage Act.

- 14. V. Bhagat v. D. Bhagat (1994) – Mental cruelty clarified; false allegations and humiliation can justify divorce.
- 15. Ravi Kumar v. Julmidevi (2010) – Set standard that cruelty must be serious enough to harm marital relationship, not small quarrels.

Adoption & Guardianship

- 16. Laxmi Kant Pandey v. UOI (1984) – Laid down strict guidelines for inter-country adoption to protect Indian children from trafficking.
- 17. Ghisalal v. Dhapubai (2011) – Adoption through custom is valid but must be proved with evidence.
- 18. M. Gurudas v. Rasaranjan (2006) – Burden of proof is on the person claiming adoption; ceremonies must be proved.
- 19. Sawan Ram v. Kalawanti (1967) – Before 1956, Hindu women had very limited power to adopt. This case clarified the position.
- 20. Githa Hariharan v. RBI (1999) – Mother is also a natural guardian of a minor child, not only the father. Equality ensured.
- 21. Roxann Sharma v. Arun Sharma (2015) – Child's welfare and best interests must be kept above all else in custody battles.
- 22. Rajathi v. Ganesan (1999) – Reaffirmed that in guardianship matters, the benefit of the child is the main test, not the rights of parents.

Maintenance

- 23. Chaturbhuj v. Sita Bai (2008) – Maintenance can be given even if the wife has not divorced her husband. She should not be left destitute.
- 24. Bharata Matha v. Vijaya (2010) – Children born from a void or illegal marriage are still entitled to the parents' self-acquired property.
- 25. Shantha v. Amar (2005) – Even a woman in a void marriage can claim maintenance, protecting her dignity.
- 26. Bai Tahira v. Ali Hussain (1979) – Explained that a woman's right to maintenance continues even under personal laws; welfare of woman is priority.

- 27. *Badshah v. Urmila* (2013) – Live-in partners also entitled to maintenance if the woman is left helpless. A social justice approach.
- 28. *Yamunahai v. Anantran* (1988) – If a woman unknowingly marries a man who already has a wife, she can still claim maintenance.

Coparcenary & Property

- 29. *Prakash v. Phulavati* (2016) – Gave daughters coparcenary rights but only prospectively (from 2005 amendment onwards).
- 30. *Danamma v. Amar* (2018) – Allowed daughters' coparcenary rights retrospectively, even if father died earlier.
- 31. *Vineeta Sharma v. Rakesh* (2020) – Final word: Daughters are coparceners by birth, father's death irrelevant.
- 32. *Raghubar Singh v. Gulab Singh* (1998) – Clarified coparceners' rights in joint family property disputes.
- 33. *Gurbux Singh v. Harmander Kaur* (2010) – Discussed matrimonial property rights after divorce.
- 34. *Kalyani v. Narayanan* (1980) – Held that daughters too are entitled to partition of property.
- 35. *Rukhmabai v. Lala* (1960) – Explained daughter's limited share before 2005 amendment.
- 36. *Appovier v. Rama Subba Aiyan* (1866) – Famous Privy Council case distinguishing Mitakshara and Dayabhaga partition principles.
- 37. *K.V. Narayanaswami v. Periakaruppan* (1991) – Explained what counts as ancestral property in a Hindu family.
- 38. *Krishna Singh v. Mathura* (1980) – Joint family property cannot be presumed automatically; it must be proved.
- 39. *Arunachala Gounder v. Ponnusamy* (2022) – Landmark ruling: daughters also have rights in ancestral property, regardless of marriage.
- 40. *Amarsingh v. Shantilal* (1981) – Clarified how Class I heirs inherit property.
- 41. *Chander Sen v. CWT* (1986) – Clarified HUF property taxation; inheritance by son is in individual capacity, not automatically HUF.

Customs & Usage

- 42. Soorasam Veeravalli v. Annadana (1920) – Custom prevails over general Hindu law if proved.
- 43. N. Ayyanna v. Rajeswari (1998) – Whoever claims custom must prove it in court with strong evidence.
- 44. Kumar Sursen v. Bihar (2008) – Local customs are valid unless they are against public policy.

Women & Child Rights / Misc.

- 45. Ramesh Verma v. Lajesh Saxena (2017) – Daughter-in-law has right to residence in shared household under Hindu law.
- 46. Mohini Jain v. Karnataka (1992) – Declared right to education as fundamental, strengthening rights of Hindu girls.
- 47. Bai Jiva v. Ram Raghunath (1941) – Interpreted Hindu Women’s Right to Property Act – widow only got limited estate (life interest).
- 48. John Vallamattom v. UOI (2003) – Personal laws must comply with equality under Constitution. No absolute immunity.
- 49. S.P. Mittal v. UOI (1983) – Explained balance between secularism and religious freedom.
- 50. Kumari Madhuri Patil v. Addl. Commissioner (1994) – Gave strict guidelines for caste certificate verification, affecting Hindu caste law disputes