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# Sabarimala Review — 9-Judge Constitution Bench Begins Hearing

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CURATED &amp; WRITTEN BY

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# Sabarimala Review — 9-Judge Constitution Bench Begins Hearing

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## WHY IN NEWS

A **9-judge Constitution Bench** of the Supreme Court, led by **Chief Justice of India Surya Kant**, began hearing the **Sabarimala review case** on **April 7, 2026**, revisiting the 2018 judgment in **Indian Young Lawyers Association v. State of Kerala** that allowed women aged 10-50 to enter the Sabarimala temple. The hearing schedule runs through **April 21, 2026** with detailed oral submissions across multiple sessions.



## THE BENCH

JUDGE	NOTE
<b>CJI Surya Kant</b> (presiding)	Chairs the bench
Justice B.V. Nagarathna	Senior puisne judge
Justice M.M. Sundresh	—
Justice Ahsanuddin Amanullah	—
Justice Aravind Kumar	—
Justice A.G. Masih	—
Justice R. Mahadevan	—
Justice Prasanna B. Varale	—
Justice Joymalya Bagchi	—

The bench is unusually large — **9 judges** rather than the standard 5 — reflecting the constitutional significance of the questions involved.

## HEARING SCHEDULE

DATES	PHASE
April 7-9	Review petitioners' submissions
April 16-17	Opposing parties' submissions
April 21	Rejoinder by petitioners

## THE 2018 JUDGMENT — WHAT HAPPENED

In **Indian Young Lawyers Association v. State of Kerala (2018)**, a 5-judge Constitution Bench (4:1 majority) held that the **age-based ban on women's entry to Sabarimala** was unconstitutional. Key findings:



FINDING	REASONING
Ban violated Article 14 (equality)	Discrimination based on biological characteristics (menstruation)
Ban violated Article 25 (freedom of religion)	Women have equal religious rights as devotees
Ayyappa devotees not a “religious denomination” under Article 26	Did not have separate religious identity from Hindus
Rule 3(b) of Kerala Hindu Places of Public Worship Rules	Struck down as unconstitutional
Justice Indu Malhotra (sole dissent)	Courts should not interfere in religious practices essential to faith

## THE REVIEW — WHY NOW?

After the 2018 verdict, **65+ review petitions** were filed by various groups, arguing the judgment violated:

- ❶ Religious autonomy of the Sabarimala temple
- ❷ The “essential religious practices” doctrine
- ❸ The rights of devotees as a denomination

In **2019**, a 5-judge bench (3-2 majority) referred the review to a larger bench, framing **7 questions** including:

- Scope of Article 25 (religious freedom)
- Definition of “religious denomination” under Article 26
- Whether courts should interfere in essential religious practices
- The relationship between Articles 25, 26, and 14
- Balance between individual rights and group rights

Now, in **2026**, the 9-judge bench must answer these constitutional questions before deciding the Sabarimala-specific issue.



## CONSTITUTIONAL PROVISIONS AT STAKE

ARTICLE	PROVISION
Article 14	Right to equality before law
Article 15(1)	Prohibition of discrimination on religion, race, caste, sex, place of birth
Article 17	Abolition of untouchability
Article 25(1)	Freedom of conscience and free profession, practice, propagation of religion
Article 25(2) (b)	State can regulate secular activity associated with religion; throw open Hindu institutions to all classes/sections
Article 26	Right of religious denominations to manage their own affairs

The **central tension**: Article 25 protects individual religious freedom; Article 26 protects denominational autonomy; Article 14 requires equal treatment regardless of gender.

## THE “ESSENTIAL RELIGIOUS PRACTICES” DOCTRINE

This judicially-developed doctrine holds that constitutional protection extends only to **practices that are essential and integral** to the religion — not mere rituals. The Supreme Court has applied it in:

CASE	YEAR	OUTCOME
Commissioner, HRE v. Sri Lakshmindra Thirtha (Shirur Mutt)	1954	Originated the doctrine
Mohd Hanif Quareshi v. State of Bihar	1958	Cow slaughter not essential to Islam
Acharya Jagdishwarananda v. Commissioner of Police	2004	Tandava dance not essential to Ananda Marga
Shayara Bano v. Union of India	2017	Triple talaq not essential to Islam

The Sabarimala review will likely **reframe or clarify** this doctrine.



## UPSC RELEVANCE

### GS Paper 2 – Polity & Governance

- Articles 14, 15, 17, 25, 26 – fundamental rights and religious freedom
- Essential Religious Practices doctrine
- Judicial review of religious practices
- Constitution Bench composition (5/7/9 judges) under Article 145(3)
- Gender equality vs religious autonomy debate

### GS Paper 1 – Indian Society

- Religion and gender in Indian society
- Reform movements and tradition

### Prelims Fast Facts:

- 2018 Sabarimala verdict: **Indian Young Lawyers Association v. State of Kerala**
- Original bench: **5 judges** (4-1 majority)
- Current review bench: **9 judges**
- CJI: **Surya Kant**
- Sole dissenter in 2018: **Justice Indu Malhotra**
- Sabarimala temple location: **Pathanamthitta district, Kerala**
- Deity: **Lord Ayyappa**

## FACTS CORNER

- **Article 145(3)** requires that any case involving a substantial question of law as to the interpretation of the Constitution be heard by a bench of **at least 5 judges**. 9-judge benches are rare – used for landmark constitutional questions.
- The **Indu Malhotra dissent (2018)** is one of the most-cited dissenting opinions in recent Indian constitutional law – she argued that “rationality cannot be invoked to invalidate religious practices” and that courts should respect religious autonomy.
- The **Sabarimala temple** is one of the largest pilgrimage sites in the world – over **40-50 million** devotees visit annually during the Mandala-Makaravilakku season (Nov-Jan).
- The **age restriction** was based on the temple’s tradition that Lord Ayyappa is a celibate deity (Naishtika Brahmachari) – women of menstruating age were considered an obstacle to this celibacy.



- The 2018 judgment **could not be implemented** due to mass protests in Kerala — even today, no woman in the 10-50 age group has formally entered the temple under court protection.
- **Justice B.V. Nagarathna** is currently the senior-most woman judge on the Supreme Court — and is in line to become **India's first woman Chief Justice** in September 2027.

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