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Supreme Court Hears Sabarimala Case, claims of superstition can be subject to judicial review

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The Supreme Court of India is hearing petitions related to the Sabarimala Temple Case, where it observed that claims of superstition can be subject to judicial review, drawing parallels with past practices like Sati which were later declared unconstitutional.

Key Observations by the Court:

The Court stated that not all religious practices are beyond judicial scrutiny

Practices considered superstitious or discriminatory can be reviewed under constitutional principles

Emphasised that fundamental rights prevail over regressive customs

The observation came during hearings on petitions challenging restrictions on women's entry into the temple.

Background of the Case:

The issue relates to entry restrictions of women (aged 10–50) at the Sabarimala Temple in Kerala

In 2018, the Supreme Court allowed entry of women of all age groups, declaring the ban unconstitutional

The verdict triggered nationwide debates on religion vs gender equality

Multiple review petitions were later filed, and the matter is still under consideration by a larger bench

Constitutional Provisions Involved:

Article 14 – Right to Equality

Article 15 – Prohibition of discrimination

Article 25 – Freedom of religion

The case examines the balance between religious freedom and fundamental rights.

Additional Key Facts:

Doctrine involved: Essential Religious Practices (ERP Test)

ERP Test determines whether a practice is essential to a religion and thus protected

The Sabarimala issue is being heard by a Constitution Bench (5+ judges)

Similar debates have arisen in cases like:

Triple Talaq (2017)

Entry of women in religious places

Sati was abolished by Bengal Sati Regulation, 1829 under Lord William Bentinck