

Topic: Personal Law (Article 13)

Name of the case: P.E. Mathew v. Union of India, AIR 1999 Ker 345

Issue: whether personal law falls under the scope of Article 13 of the Constitution?

Bench Justice A Lakshmanan and Justice KN Kurup (Kerala High Court)

Fact of the Case: Section 17 of the Indian Divorce Act, a central pre-constitutional law, was challenged as arbitrary, discriminatory and violative of Article 14.

Ratio: It was held that the present laws are outside the scope of Article 13 (1) as they are not defined in Article 13 (3) (b).

The judgement of Kerala High Court was based on the judgement of Supreme Court in Ahmedabad Women Action Group v. Union of India.
