

Topic: Evolution Of Concept Of Equality (Article 14)

Name of the case: E.P. Royappa v. State of Tamil Nadu, AIR 1974 SC 555

Bench: Justice Bhagwati, Justice Chandrachud, Justice Krishna Iyer

Facts of the Case: The petitioner filed a petition under Article 32 of the Constitution challenging the validity of his transfer from the post of Chief Secretary, first to the post of deputy Chairman State Planning Commission and then to the post of Officer on Special Duty. The petition was filed on the ground that the said order was made in mala fide exercise of power, not on account of exigencies of administration or public service, but because the second respondent was annoyed with the petitioner on the account of various incidents referred to in the petition and wanted him out of the way.

Ratio: Equality is a dynamic concept, it cannot be cribbed, cabined and confined within traditional doctrinaire limits. From positive point of view, equality is antithetic to arbitrariness. Where an act is arbitrary, it is implicit in it that it is unequal both according to political logic and constitutional law and is, therefore, violative of Article 14.