

Sabarimala Verdict Review: Supreme Court to Revisit 2018 Women's Entry Judgment

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Sabarimala Verdict Latest News

- The Supreme Court has scheduled hearings from April 7 before a nine-judge Constitution Bench to consider review petitions against its 2018 verdict that allowed women of all ages to enter the **Sabarimala** Dharma Sastha Temple.
- The 2018 judgment had sparked widespread protests during the temple's 41-day pilgrimage season and became a politically sensitive issue in Kerala.
- While the Kerala government continues to support women's entry, as stated in its 2017 affidavit, it is closely watching developments in the apex court. The review hearings are set against the backdrop of upcoming Assembly elections, adding renewed political and social significance to the case.

Sabarimala Temple: Overview and Traditions

- **Location:** Sabarimala Temple is situated in the **Periyar Tiger Reserve** in the Western Ghats of Kerala and is one of South India's most prominent pilgrimage centres.
- **Deity:** The temple is dedicated to Lord Ayyappa, believed to be the son of Lord Shiva and Mohini (the female avatar of Lord Vishnu).
- **Unique Practice:** Devotees observe a strict 41-day penance (vratham) before the pilgrimage, renouncing worldly comforts and following spiritual discipline.
- **Celibate Deity Belief:** Lord Ayyappa is worshipped as a celibate (Naishtika Brahmachari) deity.
- **Entry Restriction (Customary):** Traditionally, women between 10 and 50 years (considered menstruating age) were barred from entry, citing the belief in preserving the deity's celibacy.

1990-91: Kerala High Court Upholds Women's Entry Ban

- The first legal challenge to the Sabarimala entry restriction came in 1990, when a petitioner approached the Kerala High Court alleging that women aged 10 to 50 were visiting the temple in violation of custom.
- In 1991, the High Court upheld the ban, ruling that the restriction was consistent with longstanding tradition and did not violate fundamental rights.
- It also directed the Travancore Devaswom Board to strictly enforce the prohibition on women of menstruating age entering the temple.

Supreme Court Intervention in the Sabarimala Case

- In 2006, the Indian Young Lawyers Association moved the Supreme Court under **Article 32**, challenging the ban on women aged 10–50 entering the Sabarimala temple.
- The petition sought to strike down **Rule 3(b)** of the Kerala Hindu Places of Public Worship Rules, 1965, arguing it violated:
 - constitutional guarantees of equality (Articles 14 and 15),
 - religious freedom (Article 25), and
 - the duty to renounce practices derogatory to women (Article 51A(e)).

2018: Landmark 4:1 Verdict

- In September 2018, a five-judge Constitution Bench, by a 4:1 majority, ruled that the exclusion of women based on age was unconstitutional.
- The court struck down Rule 3(b), holding that custom cannot override fundamental rights.
- The decision triggered widespread protests and multiple review petitions from temple-affiliated groups and stakeholders.

2019: Reference to Larger Bench

- Ahead of the 2019 pilgrimage season, the Supreme Court observed that its verdict could have implications for other religious practices.
- It referred the broader constitutional questions to a larger bench of at least seven judges but declined to stay the 2018 judgment.

2020: Review Petitions Held Maintainable

- In 2020, a nine-judge bench led by then CJI S A Bobde held that the review petitions were maintainable.
- The bench framed seven constitutional questions for consideration by a Constitution Bench, setting the stage for further judicial examination of the issue.

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