

# Navigating an Unforeseen Situation: Lessons from the Indian Higher Judiciary's Approach to Social Action Litigation during the Pandemic

## Abstract

We are aware of the impacts faced by the world during the COVID-19 pandemic, and India, one of the largest populated nations, has faced many problems in handling that situation. The first lockdown was announced by the government of India through its Ministry of Home Affairs on 24 March 2020, restraining the movement of the entire nation, followed by the curfew in different phases; the situation was very pathetic handling the overcrowding in hospitals, burial of people died due to Corona, ensuring social distancing, prisoners condition during COVID-19, etc., Finally the hope of the people turned towards the Indian judiciary. The Indian judiciary has a segment of litigation style called public interest litigation (also known as social action litigation), which is witnessed as a product of its Judicial Activism. This paper will examine two facets of the problem: firstly, during the COVID-19 pandemic, did the Indian judiciary fulfil the hopes of its people? Secondly, was there any sign of a new phase of evolution in the approach of the Indian judiciary towards social action litigation witnessed during the COVID-19 pandemic era? Furthermore, this paper highlights how the Indian judiciary emphasises its people during a pathetic situation and helps them to overcome it. Finally, the Judiciary of India has managed to accomplish the expectations of its people at a decent level through a revolution in its approach towards social action litigation, which has been analysed in this paper.

**KEYWORDS:** COVID-19 pandemic, Indian judiciary, social action litigation, people, public interest litigation

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# 1 | Introduction

During the COVID-19 first wave (Epidemic) and second wave (Pandemic), there were a lot of problems faced by India, such as overcrowding in prisons, increased domestic violence cases, human rights violations like lock-up deaths, fundamental rights violations of migrant labour, right to decent burial denied due to Coronavirus etc. However, at that time, the Indian higher judiciary played a crucial role through its orders for the public interest. In the COVID-19 period mentioned above, the Indian Judiciary's role in PIL served as a Pill for Coronavirus.<sup>[1]</sup> As already said in the abstract, this research paper will look at two aspects of the problem: firstly, during the COVID-19 pandemic, did the Indian judiciary fulfil the hopes of its people<sup>[2]</sup>? Secondly, to analyse whether there is any sign of a new phase of evolution in the approach of the Indian judiciary towards social action litigation witnessed during the COVID-19 pandemic era. While researching the approach of the Indian judiciary towards social action litigation amid the COVID-19 pandemic, it was found that there was a gap in analysing the legal innovations of the Indian judiciary during the Pandemic. And that gap has been filled by this research. Moreover, this study employs mixed methodology involving the qualitative analysis of case laws, statutory provisions, legal commentaries, reports, and scholarly articles and an empirical component that includes a review of Supreme Court Annual Reports focusing on the number of *suo motu* cases and the number of letters received from the public to understand patterns of Judicial Intervention and Public Engagement in the segment of social action litigation. At the same time, the study will help to understand the characteristics of the Indian higher judiciary in unexpected situations like the COVID-19 pandemic.

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<sup>1</sup> Srividhya Jayakumar, *Public Interest Litigation in Times of Covid 19- the PIL Pill for the Covid 19 Ill.* <https://vpmtthane.org/web2/assets/files/Dr.-SrividhyaJayakumar-PILinCovid-19times.pdf>.

<sup>2</sup> This problem of with state of judicial system and fulfilling the needs of the people has a worldwide perspective. On Poland and EU see: Aleksandra Syryt, Mariusz Muszyński. "Legislacja delegowana w czasie epidemii. Uwagi na tle kształtu konstytucyjnego systemu źródeł prawa w Polsce". *Prawo i Więź* no. 1 (2025): 91-112; Katarzyna Banasik, "Kontratyp stanu wyższej konieczności w kontekście działań związanych z Przeciwdziałaniem i zwalczaniem COVID-19". *Prawo i Więź*, no. 3 (2023): 593-615; Anna Dobaczewska, "Pomoc publiczna na zwalczanie ekonomicznych skutków pandemii COVID-19 w kontekście prawa Unii Europejskiej". *Prawo i Więź*, no. 2 (2021): 72-82.

India is the largest democratic country in the world,<sup>[3]</sup> and the country has also overtaken China in terms of population in the year 2023.<sup>[4]</sup> The country is a Union of States comprising 28 states and 8 union territories.<sup>[5]</sup> When we consider the Indian judiciary and the administration of the judicial system, they follow the recorded judicial precedents inherited from the common law system that prevailed from the British Colonial Bequest. The Supreme Court of India is the Apex Court of the country. The Court is the highest Court of Appeal, which comes from various high courts of the country (i.e. apart from the Apex Court, there are 25 state High Courts in the country), and it also enjoys its own original jurisdiction. The Supreme Court of India functions as per the authority laid down under Article 124-147 of the Constitution of India, 1950. Subordinately, there are 25 high courts established and functioning as per powers conferred under Article 214-231 of the Constitution of India, 1950. The Constitution of India is the lengthiest set-down constitution of any sovereign nation in the world.

The term “public interest law” (PIL) was derived and evolved from the American judicial system in the 19<sup>th</sup> Century as the legal aid movement. In 1876, the first office for legal aid was established in New York,<sup>[6]</sup> and the credit for coining the name goes to the Harvard Law School professor Abram Chayes who termed the phrase “public law litigation” in 1976.<sup>[7]</sup> The terms public interest law and public law litigation are so well defined that they denote public interest. Again, the definition is very clear in the 16<sup>th</sup> edition of the *Black Law Dictionary* that public interest is something in which the public, the community at large, has some pecuniary interest, or some interest by which their legal rights or liabilities are affected.

<sup>3</sup> Statista Daily Data, “Infographic: The World’s Biggest Democracies,” 14 February 2024. <https://www.statista.com/chart/31744/biggest-democracies>. [accessed: 12.8.2024].

<sup>4</sup> “UN DESA Policy Brief No. 153: India Overtakes China as the World’s Most Populous Country. Department of Economic and Social Affairs.” April 24, 2023. <https://www.un.org/development/desa/dpad/publication/un-desa-policy-brief-no-153-india-overtakes--as-the-worlds-china-most-populous-country/>. [accessed: 12.8.2024].

<sup>5</sup> “States Uts – Know India: National Portal of India.” <https://knowindia.india.gov.in/states-uts/>. [accessed: 12.8.2024].

<sup>6</sup> Amit Kumar Singh; Diksha Kumari Singh, “Misuse of Public Interest Litigation,” *Supremo Amicus*, 2 (2017): 66.

<sup>7</sup> Peter A. Appel, “Intervention In Public Law Litigation: The Environmental Paradigm” *Washington University Law Quarterly*, No. 215 (n.d.). <https://journals.library.wustl.edu/lawreview/article/2588/galley/19421/view/>.

It does not mean anything so narrow as mere curiosity, or as the interest of the particular localities, which may be affected by the matters in question. Interest shared by the citizens generally in affairs of local, state or national government.<sup>[8]</sup> The PIL/SAL in India is a modified version of the PIL from the USA. In India “public law litigation” is coined as “public interest litigation (PIL),” and it was developed as a part of judicial activism in the year 1976.<sup>[9]</sup> Social interest litigation (SIL) and class action litigation (CAL) are also the other names in general for the public interest litigation, but Upendra Baxi, one of the distinguished Indian professor of law, always advocated the term public interest litigation as social action litigation.<sup>[10]</sup> Hence, to honour him, the authors specify the same term instead of public interest litigation in this paper.

The remainder of this research paper is structured in the following manner. In 2<sup>nd</sup> Section 2, we will be narrating the applicability of PIL/SAL in India, followed by the 3<sup>rd</sup> Section, which narrates the Evolution of PIL/SAL in India and steps taken by the higher judiciary of India in different landmark cases. Then, there will be a discussion on the approach of Indian judiciary towards Social action litigation during the COVID-19 pandemic situation, and an analysis on the impact and efficacy of measures taken by Indian higher judiciary through Social action litigation during COVID-19 pandemic in the 4<sup>th</sup> Section. In Section 5, there will be a discussion on the role of Indian higher judiciary’s social action litigation aftermath of the COVID-19 pandemic. Finally, in Section 6, there will be a conclusion part about the facets of the problems specified in this paper.

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<sup>8</sup> “Public Interest Litigation.” <https://www.legalserviceindia.com/article/l273-Public-Interest-Litigation.html>.

<sup>9</sup> Mumbai Kamgar Sabha, Bombay Vs. Abdulbhai Faizullahbhai & Others, 1976 (3) SCC 832.

<sup>10</sup> Upendra Baxi, “Taking Suffering Seriously: Social Action Litigation in the Supreme Court of India” *Third World Legal Studies* 4 (1985). <https://scholar.valpo.edu/twls/vol4/iss1/6>.

## 2 | Applicability of the PIL/SAL in India

Regarding the PIL/SAL, there is no specific legislation till now. However, it is working on powers conferred upon the Honourable Supreme Court of India and the Honourable High Court(s) under Article 32 and Article 226 of the Constitution of India, respectively.<sup>[11]</sup> When there is any violation of Fundamental Rights, anybody can knock on the doors of the above courts at any time. The procedure for filing a PIL/SAL is the same as the writ petition, but it is very important to note that it cannot be pulled back once the public interest litigation is filed. Apart from the original and appellate jurisdiction on filing the writ petitions, the court has the power of epistolary jurisdiction and taking suo moto cognizance of the cases as explained in the following.

### 2.1. Epistolary Jurisdiction of the Courts

Epistolary jurisdiction of the courts is a mechanism where the court accepts a letter, postal card, telegram, newspaper article, e-mail, etc. addressed directly by the affected party or any person acting in social interest and converts them as a petition. For example, in the landmark case of *D.K. Basu vs. State of West Bengal*,<sup>[12]</sup> the court accepted a letter addressed to the court about the custodial death in West Bengal prisons, and this case is one of the landmark cases that shows us the mechanism of epistolary jurisdiction in Indian higher judiciary.<sup>[13]</sup>

### 2.2. Suo-Moto Cognizance of the Social Action Litigation Cases

Similarly, the term “suo moto” refers to the mechanism of the court taking cases on its own motion. In this type of social action litigation, the higher judiciary has taken up some important cases for the public interest. During the COVID-19 pandemic, many cases were taken by the Indian higher

<sup>11</sup> “Public Interest Litigation” *iPleaders* (blog), 3 June 2013. <https://blog.ipleaders.in/public-interest-litigation/>. [accessed: 12.8.2024].

<sup>12</sup> Kathakali Banerjee. “Dk Basu vs. State of West Bengal (1997) : Case Analysis” *iPleaders* (blog), 17 March 2024. <https://blog.ipleaders.in/dk-basu-vs-state-of-west-bengal-1997-case-analysis/>. [accessed: 12.8.2024].

<sup>13</sup> Ibidem.

judiciary, that is why that period is termed Phase-IV of PIL/SAL in India by the authors of this paper, which is justified with secondary data mentioned in the following.

## 3 | Evolution of Social Action Litigation in India

It is, again, an interesting fact that when we want to know about the historical development of social action litigation in India, we can view the judgement order of the landmark social action litigation case *State of Uttaranchal vs. Balwant Singh Chaufal and Others*,<sup>[14]</sup> where the Supreme Court of India has reviewed its own development in the public interest law. In this case, the Court ruled that the case constituted an apparent misuse of the public interest litigation. The Court also pronounced some important guidelines to itself and its subordinate high courts regarding assessing suitable cases for the PIL/SAL. The honourable Apex Court also enumerated the historical development into three distinct phases, namely as follows.

### 3.1. Phase-I. Directions for the Marginalized people, those who are illiterate, Poor and ignorant of their Fundamental Rights

This phase deals with the foundations of Social action litigation in India in 1976, when the Apex Court exempted the general rule of “locus standi.” The Supreme Court passed all the orders for securing the fundamental rights enumerated under the constitution of India for the marginalised people, those who are illiterate, poor and ignorant of their fundamental rights.<sup>[15]</sup>

In 1976, Justice Krishna Iyer was the first judge to sow the seed of public interest litigation (PIL) through the landmark case *Mumbai Kamgar Sabha*,

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<sup>14</sup> Dalveer Bhandari. J, *State Of Uttaranchal Vs. Balwant Singh Chaufal & Ors.*, AIR2010SC 2550 (Supreme Court of India 2010).

<sup>15</sup> Ibidem.

Bombay vs. Abdulbhai Faizullabhai & Others 1976 (3) SCC 832,<sup>[16]</sup> as a compliment to the traditional method of litigation, rather than substituting the traditional method of litigation.<sup>[17]</sup> Then the PIL evolved to greater heights because of the efforts made by Justice P.N. Bhagwati in the landmark case of Hussainara Khatoon vs. State of Bihar, 1979 AIR 1369,<sup>[18]</sup> and many of them even now think that this case was the first PIL witnessed in India. In this case, the court not only adjudicated that the right to speedy trial was a main issue, but at the same time, the court ordered to the release of approximately 40,000 under-trial prisoners in detention on the far side of the maximum period.<sup>[19]</sup>

In the other landmark case, S.P. Gupta vs. Union of India (1981)<sup>[20]</sup> Hon'ble Justice Mr.P.N.Bhagwati again created a new way that any individual or organization who is socially concerned can file a PIL (public interest litigation). That person or organization need not be directly affected.<sup>[21]</sup> Similarly, in Sheela Barse vs. State of Maharashtra<sup>[22]</sup> Sheela Barse, a news correspondent from Maharashtra, addressed a letter to the Honourable Supreme Court of India regarding the maltreatment of women prisoners in the central prison in Bombay; here again, the social concern of a journalist was taken as writ petition and the court gave seven important directions on handling the women prisoners.<sup>[23]</sup>

Thus, phase-I has a strong foundation for social action litigation in India with many landmark cases, out of which the cases mentioned above are just a short digest.

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<sup>16</sup> “Public Interest Litigation” *iPleaders* (blog), 3 June 2013. <https://blog.ipleaders.in/public-interest-litigation/>. [accessed: 13.8.2024].

<sup>17</sup> Ibidem.

<sup>18</sup> Ibidem.

<sup>19</sup> Ibidem.

<sup>20</sup> Priya, “Case Summary: S.P. Gupta vs. Union Of India 1981,” 3 April 2024. <https://legalfly.in/case-summary-sp-gupta-v-union-of-india/>. [accessed: 18.8.2024].

<sup>21</sup> Ibidem.

<sup>22</sup> Agraval Aishwarya, “Case Brief of Sheela Barse vs. State of Maharashtra” *Blog*, 3 January 2024. <https://lawbhoomi.com/sheela-barse-vs-state-of-maharashtra-sheela-barse-case/>. [accessed: 20.8.2024].

<sup>23</sup> Ibidem.

### 3.2. Phase-II. Directions to Protect and Preserve Environment

The second phase pertains to the cases concerning environment protection starting from the year of 1980's, like the conservation of forests, environment, marine life, ecology, historical monuments, rivers, mountains, wildlife, and so on.<sup>[24]</sup>

From the year 1980's onwards the higher judiciary started paying more attention to water pollution, air pollution, and environmental degradation. At the same time, it passed an ample number of orders and directions to make certain of that the environment must be protected, conserved and saved for the present as well as the future.

In the landmark case of *M.C.Mehta vs. Union of India (Oleum Gas Leak Case)*,<sup>[25]</sup> the Supreme Court of India brought a long-lasting mark on the environmental law in India and initiated the doctrine of absolute liability and also widened the ambit of Article 21 that has impacted many cases pertaining to the protection of the environment.<sup>[26]</sup> Similarly, in another case of *Rural Litigation and Entitlement Kendra & Others vs. State of Uttar Pradesh & Others*,<sup>[27]</sup> a letter was sent by an NGO named Rural Litigation and Entitlement Kendra. Addressing the Supreme Court that they were going to protest by marching towards the Supreme Court because of ecological destitution that happened at Mussoorie Hill Range at Dehradun and the Apex Court of India took that letter as an writ petition and finally ordered to shut down the quarries functioning in the Doon Valley because the quarries functioning was causing problem to the ecological balance as well as a hazard to the agricultural land and environment.<sup>[28]</sup>

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<sup>24</sup> Dalveer Bhandari. J, *State Of Uttaranchal vs. Balwant Singh Chaufal & Ors.*, AIR2010SC 2550 (Supreme Court of India 2010).

<sup>25</sup> (1987) 1SCC 395 .

<sup>26</sup> Priya, "Case Brief: M.C. Mehta vs. Union Of India – Oleum Gas Leak Case," 18 October 2023, <https://legalfly.in/case-brief-m-c-mehta-v-union-of-india-oleum-gas-leak/>. [accessed: 18.8.2024].

<sup>27</sup> Laiba Tahreem, "Case Analysis: Rural Litigation and Entitlement Kendra & Ors. vs. State of Uttar Pradesh & Ors. (1985). Dehradun Valley Litigation" 8 December 2023, <https://www.legalbites.in/environment-law/case-analysis-rural-litigation-and-entitlement-kendra-ors-v-state-of-uttar-pradesh-ors-1985-dehradun-valley-litigation-979570>. [accessed: 20.8.2024].

<sup>28</sup> Ibidem.



In another Landmark Case of the Indian Council for Environment Action vs. Union of India (1996) 5 SCC 281,<sup>[29]</sup> an NGO named Indian Council for Environment Action, which is an association with social care on environment filed a writ petition on the nature of social action litigation against the chemical manufacturing factories that were functioning in the village named “Bichhri” in Udaipur District, Rajasthan along with a report showing almost 2,500 tons of poisonous toxic sludge along with “H” acid effluents amounting to 375 tons were drained into the village environment without prior processing and these toxic chemical drains are extremely dangerous to the entire environment in that village. Moreover, finally, after hearing both the petitioner’s and the respondent’s argument, the Honourable Supreme Court applied the “polluter pays principle” and awarded Rs.3,73,85,000/- (three crores seventy-three lakhs and eighty five thousand indian rupees) as compensation and it must be used by authorities for correctional works in “Bichhri” village, and at the same time, Rs.10,00,000/- (ten lakhs indian rupees) was imposed as the fine.<sup>[30]</sup>

Again, a new concept called the precautionary principle was introduced in another landmark case of Vellore Citizens Welfare Forum vs. Union of India (1996) 5 SCC 647,<sup>[31]</sup> an NGO named Vellore Citizens Welfare Forum, came forward and filed a social action litigation against the tanneries and other factories that drain their waste into Palar River in Vellore district of Tamil Nadu, India which serves as a primary water source for residential houses and agricultural lands in the locality; at the same time 35,000 hectares of cultivation land turned to be unfit for agriculture. The “Supreme Court of India” applied the polluter pay principle by ordering compensation as well as directing that prior precautionary measures must be taken so that the high risks of damage can be avoided.<sup>[32]</sup> Thus, from the above case laws, we can understand how the higher judiciary started to give direction towards water pollution, air pollution, and environmental degradation

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<sup>29</sup> Aditya Singh, “Indian Enviro Legal Council vs. Union of India : Analysis of Polluter Pays Principle” *iPleaders* (blog), 19 December 2020. <https://blog.ipleaders.in/indian-enviro-legal-council-v-union-india-analysis-polluter-pays-principle/>. [accessed: 23.8.2024].

<sup>30</sup> Ibidem.

<sup>31</sup> Shruti Roy, “Case Analysis: Vellore Citizens Welfare Forum vs. Union of India & Ors, (1996). Significance of the ‘Precautionary Principle’ & the ‘Polluter Pays Principle’” 3 October 2023. <https://www.legalbites.in/environment-law/case-analysis-vellore-citizens-welfare-forum-v-union-of-india-and-ors-1996-965278>. [accessed: 23.8.2024].

<sup>32</sup> Ibidem.

to make certain that the environment shall be protected, conserved and saved for the present as well as future.

### 3.3. Phase-III. The Transparency and Integrity in Governance

The third phase deals with the directions issued by the Apex Court and High Courts regarding maintaining integrity, probity, and transparency in governance, paving the way for good governance from the 1990's. In the earlier phases, Supreme Court played an essential role in the development of social action litigation in India. However, in the third phase, the high courts of different states in India also started playing a vital role in the evolution of PIL/SAL in India.

The sensational 2G spectrum scam is the mother of all scams in India because it witnessed a loss of Rs.1,76,000 crores to the government of India.<sup>[33]</sup> Again here, it is a social action litigation case named Centre of Public Interest Litigation & Others vs. Union of India(UOI ) & Others,<sup>[34]</sup> which was allowed by the Supreme Court of India and ordered in the year 2012 that the licenses given and allocated by the department of telecommunication are illegal and subject to be quashed.<sup>[35]</sup> Similarly, in the case of Lily Thomas vs. Union of India, [(2013) 7 SCC 653],<sup>[36]</sup> it was decided that Section 8, Clause 4 of the Representation of People Act, 1951, which protected the convicted Member of Parliament and Member Legislative Assembly from immediate disqualification, was unconstitutional. This case resulted in the disqualification of MP (Member of Parliament) and MLA (Member of Legislative Assembly) into immediate effect after the declaration of conviction judgement.<sup>[37]</sup>

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<sup>33</sup> TOP 10 Biggest Indian Scams Of All Times. <https://morungexpress.com/top-10-biggest-indian-scams-all-times>. [accessed: 27.8.2024].

<sup>34</sup> MANU/SC/0089/2012.

<sup>35</sup> G.S. Shingvi, J. Centre of Public Interest Litigation & Ors. Vs Union of India(UOI)& Ors. (Supreme Court of India 2 February 2012).

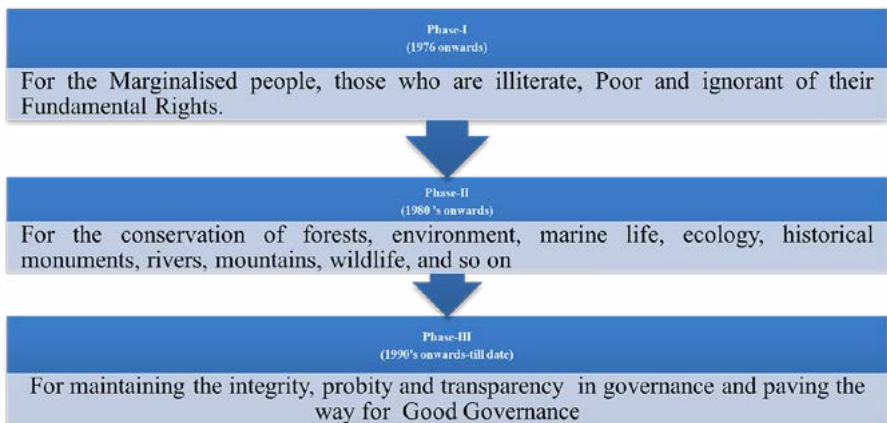
<sup>36</sup> Bheeni Goyal, Owais Syed Khadri, "Lily Thomas vs. Union of India (2013) : Legalizing Convicted MPs and MLAs" *iPleaders* (blog), 1 March 2024. <https://blog.ipleaders.in/lily-thomas-v-union-india-legalising-convicted-mps-mlas/>.

<sup>37</sup> Ibidem.

In a Civil Miscellaneous Appeal case named *R. Mallika & Others. vs. A.Babu & Others* (CMA.No.3235 of 2014),<sup>[38]</sup> during the inquiry, the Madras High Court added the Tamil Nadu State Home Department and Director General of Police (Tamil Nadu) as the respondents through a suo moto impleading order in public interest and directed to install CCTV cameras to note down the people who are driving the two-wheelers without helmet and impose fine or cancel their driving license and directed that traffic police should be present in the important junction for taking actions against the defaulters regularly and submit the report of action taken for the duration of every two months to this court and also ordered the same direction to central government of India to direct the same order to every states and union territories across the country of India and comply with Section 129 of the Motor Vehicle Act, 1988.<sup>[39]</sup> Thus, phase-III of social action litigation in India deals with the direction that maintains integrity, probity, and transparency for imparting good governance in the nation.

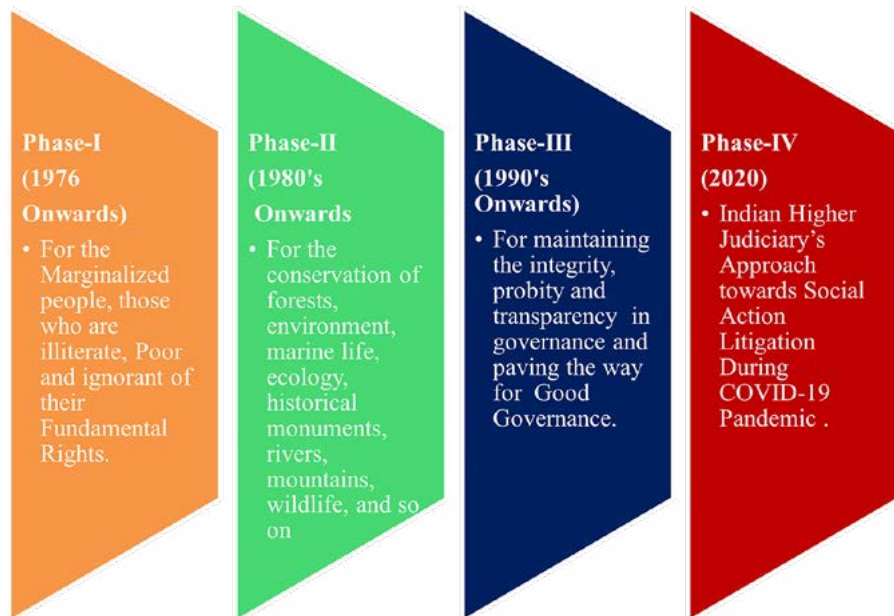
However, this evolution does not stop with the third phase. Many legal scholars think that we are still in the third phase, and we, the authors of this research paper, witness another phase of evolution (the revolution) which is after 2020, and we imprint it as phase-IV (Indian higher judiciary's approach towards social action litigation during COVID-19 pandemic).

**Chart 1.** Conventional Thought on the Evolution of PIL/SAL in India



<sup>38</sup> N. Kirubakaran, *J.R.Mallika & Ors. Vs. A.Babu & Ors.* (CMA.No.3235 of 2014) (Madras High Court August 6, 2015).

<sup>39</sup> Ibidem.

**Chart 2. Authors Imprint on Evolution of PIL/SAL in India**

## 4 | Indian Higher Judiciary's Approach towards Social Action Litigation During COVID-19 Pandemic (Phase-IV of PIL/SAL)-The Revolution

Before discussing the landmark cases witnessed during the COVID-19 pandemic, we can view the statistics of social action litigation cases received/ filed in the Supreme Court. On analysing the table below, we can easily understand that the number of suo-moto writ petitions (civil) registered in the 2020 is 8, which is higher than all the other years below-mentioned. Again, the number of letters received during the pandemic situation has also increased when compared to the other prior years.

**Table 1. Letter Petitions and Writ Petitions (Civil and Criminal) Received/ Filed under PIL/SAL in the Supreme Court of India**

YEAR	Letter-Petitions Received in English, Hindi, and Other Regional Languages	Writ Petition (Civil)	Writ Petition (Criminal)
2013	45 588	214(3) *	45(2) *
2014	30 404	332	48(2) *
2015	51 203	264(2) *	39(1) *
2016	53 282	282	35
2017	59 561	79(2) *	5(1) *
2018	61 061	350(1) *	49
2019	70 403	374(4) *	59(4) *
2020	69 124	300(8) *	26(2) *
2021	111 830	1487(4) *	587(2) *
2022	115 120	1353	587(1) *
2023 (till 31.10.2023)	59 162	1409(2) *	637(1) *

\* Figure in brackets shows the number of writ petitions registered on suo-moto

Source: Indian judiciary Annual Report 2022-23<sup>[40]</sup>

When the coronavirus started to rise gradually in India in March 2020, the honourable Supreme Court of India took its first suo-moto case [suo moto writ petition (civil) No.1/2020<sup>[41]</sup>] regarding the conditions of the prisoners across the country. Directions were given to make sure there is de-congestion in the prisons, to constitute a state wise High Powered Committee to monitor prison activities, and that HPC can suggest parole and interim bail to the COVID-19 affected prisoners.<sup>[42]</sup> Thus, many directions were given by the Supreme Court of India, which served as guidance for controlling the spread of the COVID-19 virus in the prisons. Then in an instance of prior case, the Supreme Court filed another case in which it was very keen regarding the midday (nutritious) meal scheme offered to the many schools and anganwadi's (courtyard shelters) whereas even

<sup>40</sup> "Indian Judiciary Annual Report | Supreme Court of India." <https://www.sci.gov.in/indian-judiciary-annual-report/>. [accessed: 29.8.2024].

<sup>41</sup> Suo Moto Writ Petition (Civil) No.1/2020 Before the Supreme Court of India. [https://api.sci.gov.in/supremecourt/2020/9761/9761\\_2020\\_1\\_1\\_21537\\_Order\\_16-Mar-2020.pdf](https://api.sci.gov.in/supremecourt/2020/9761/9761_2020_1_1_21537_Order_16-Mar-2020.pdf).

<sup>42</sup> Sneha Jaiswal, "Guidelines for Reducing COVID in Prisons : In Re Contagion of COVID 19 Virus" *iPleaders* (blog), 12 July 2021. <https://blog.ipleaders.in/guidelines-reducing-covid-prisons-re-contagion-covid-19-virus/>.

though schools are being closed across the country, some states have announced to collect nutritious food offered regularly from the schools and anganwadi's; thus, the same policy should be followed across the country, because in handling the COVID-19 crisis, there should not be another crisis of malnutrition to the children and nursing mothers. Thus the Supreme Court ordered that the same uniform policy of serving food by asking the parents to collect food from schools and anganwadi must be followed to avoid a malnutrition crisis.<sup>[43]</sup> Similarly, directions were given to take note of the condition of children (within the ambit of the Juvenile Justice Act, 2015) living in protection homes through another important suo motu writ petition (civil) No.4/2020.<sup>[44]</sup> Then, in another case regarding the administration of the judiciary across the country, the Supreme Court of India, on seeing the problems faced by the litigants, advocates, court officials, and general public going to the courts (for both judicial and quasi-judicial proceedings) during this unexpected situation, it increased the limitation period of all proceeding like filing, appeal, execution etc. in quasi-judicial and judicial proceedings from 15 March 2020 until further orders on 23 March 2020 wide Suo Motu Writ Petition (Civil) No. 3 Of 2020<sup>[45]</sup> and throughout the COVID-19 era the limitation was extended. Finally, the Apex Court excluded the period from 15 March 2020 to 28 February 2022 under any special or common laws in all judicial or quasi-judicial proceedings for the purposes of limitation wide miscellaneous application dated 10 January 10, 2022.<sup>[46]</sup> Another significant case is Suo Motu Writ Petition (Civil) No.5/2020;<sup>[47]</sup> this case emerged as a mainstay for all the courts of India in using videoconferencing to reduce the physical

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<sup>43</sup> Suo Moto Writ Petition (Civil) No.2/2020 Before the Supreme Court of India. [https://api.sci.gov.in/supremecourt/2020/10303/10303\\_2020\\_1\\_14\\_21549\\_Order\\_18-Mar-2020.pdf](https://api.sci.gov.in/supremecourt/2020/10303/10303_2020_1_14_21549_Order_18-Mar-2020.pdf).

<sup>44</sup> Suo Moto Writ Petition (Civil) No.4/2020 Before the Supreme Court of India. [https://api.sci.gov.in/supremecourt/2020/10820/10820\\_2020\\_35\\_35\\_31623\\_Order\\_29-Nov-2021.pdf](https://api.sci.gov.in/supremecourt/2020/10820/10820_2020_35_35_31623_Order_29-Nov-2021.pdf).

<sup>45</sup> Suo Moto Writ Petition (Civil) No.3/2020 Before the Supreme Court of India. [https://api.sci.gov.in/supremecourt/2020/10787/10787\\_2020\\_31\\_1501\\_26732\\_Judgement\\_o8-Mar-2021.pdf](https://api.sci.gov.in/supremecourt/2020/10787/10787_2020_31_1501_26732_Judgement_o8-Mar-2021.pdf).

<sup>46</sup> Miscellaneous Application No. 21 of 2022 in Miscellaneous Application No. 665 of 2021 in Suo Motu Writ Petition (Civil) No. 3 of 2020 Before the Supreme Court of India. [https://main.sci.gov.in/supremecourt/2022/871/871\\_2022\\_31\\_301\\_32501\\_Order\\_10-Jan-2022.pdf](https://main.sci.gov.in/supremecourt/2022/871/871_2022_31_301_32501_Order_10-Jan-2022.pdf).

<sup>47</sup> Suo Moto Writ Petition (Civil) No.5/2020 Before the Supreme Court of India. [https://main.sci.gov.in/supremecourt/2020/10853/10853\\_2020\\_o\\_1\\_21588\\_Judgement\\_o6-Apr-2020.pdf](https://main.sci.gov.in/supremecourt/2020/10853/10853_2020_o_1_21588_Judgement_o6-Apr-2020.pdf).

presence of court staff, paralegal personnel, lawyers, litigants, and representatives of the print and electronic media in courts across the country and ensure the uninterrupted justice dispensation.<sup>[48]</sup> In another scenario, due to the sudden lockdown, all the state borders, district borders, and union territory borders were closed, and all public transport like buses and even private vehicles were not allowed to travel unless or until any emergency like medical and essential commodities. This led migrant labourers to trouble because they were unemployed primarily due to the sudden lockdown. Hence, many of them planned to go to their hometown. 8 May 2020, is, witnessed as dark day for India; 20 migrant workers who were walking towards their hometown in Madhya Pradesh through the railway track in Maharashtra between Aurangabad and Jalna slept on the track itself during the night since there were no trains due to lockdown. They were run over by a goods train. In this incident, 16 migrants were killed (14 on the spot and two on the way to the hospital).<sup>[49]</sup> Apart from this incident, many issues were faced by migrants, such as food scarcity, walking long distances, etc., which were mentioned in many print and television media. The Supreme Court received many letters regarding the problems and miseries of migrant workers across the country, which was taken as a suo moto case. The Apex Court ordered the Union of India and all the state governments to submit a report on the steps to address the problems and miseries of migrant workers.<sup>[50]</sup> In the middle of 2020, there was a massive increase in the number of people affected by the coronavirus. The Supreme Court witnessed videos broadcasted on the news channels regarding a vast number of dead bodies lying on the floor of common pathways in the hospitals. The court even checked the government app, which showed many vacant rooms in the hospital, but the corona patients were not admitted and were congested in the same room. There was a sudden increase in the number of persons affected by coronavirus in New Delhi, Tamil Nadu, Maharashtra, and Ahmedabad. Despite the increase in the affected persons, the court noticed a reduction in the number of tests

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<sup>48</sup> *Suo Moto Writ Petition (Civil) No.5/2020 Before the Supreme Court of India.* [https://main.sci.gov.in/supremecourt/2020/10853/10853\\_2020\\_o\\_1\\_21588\\_Judgment\\_06-Apr-2020.pdf](https://main.sci.gov.in/supremecourt/2020/10853/10853_2020_o_1_21588_Judgment_06-Apr-2020.pdf).

<sup>49</sup> *Exhausted Migrants Fell Asleep On Tracks. 16 Run Over By Train.* <https://www.ndtv.com/india-news/15-migrant-workers-run-over-by-train-in-maharashtra-2225184>. [accessed: 9.11.2024].

<sup>50</sup> *Suo Moto Writ Petition (Civil) No.6/2020 Before the Supreme Court of India.* [https://api.sci.gov.in/supremecourt/2020/11706/11706\\_2020\\_34\\_42\\_22217\\_Order\\_26-May-2020.pdf](https://api.sci.gov.in/supremecourt/2020/11706/11706_2020_34_42_22217_Order_26-May-2020.pdf).



conducted by these states. On seeing this horrifying situation, the court took suo moto cognizance. It issued directions to submit a report on steps taken by all these above-mentioned state's health departments and especially the government of India.<sup>[51]</sup> We have already seen two important suo moto cases regarding the court administration. Similarly, due to the lockdown, the advocates of India suffered because of a lack of income due to non-functioning of physical hearing. As per bar council norms those who are in the profession of advocate cannot undergo any other work than their profession. Ordering to open the court again for a physical hearing is not possible at this point of time; thus, the apex court advised the bar council to formulate some guidelines to find the category of advocates to give monthly financial aid for the present pandemic period and to see there is any possibility to collect funds for the same.<sup>[52]</sup> In March 2021, the coronavirus, with the latest variant, began to rise in India. Over the next 3 to 4 months, India witnessed medical chaos, a fall in health infrastructure, and increased deaths.<sup>[53]</sup> On seeing this sudden rise in the deaths rate and after receiving many letters, petitions and seeing many news broadcasts on the rise of death during the second wave, the "Supreme Court of India" on 22 April 2021 took suo moto cognizance of the case regarding "the distribution of essential services and supplies during COVID-19 pandemic" through *Suo Moto Writ Petition (Civil) No.3 of 2021*. On 30 April 2021, the "Supreme Court of India" issued an important order. That within midnight of 3 May 2021, the "Union of India" had to rectify the deficit of oxygen supply in Delhi. Both the "government of India" and the "state governments" have to collaborate and prepare a safe stock of oxygen for emergencies and decentralize those emergency stocks. The Apex Court also directed that the emergency stock of oxygen must be created within four days, and it should be refilled on a day-to-day basis, in addition to the already allocated oxygen supply to the states; the "Supreme Court of India" also ordered that till the "government of India" formulate any policy regarding the situation, none of the patients can be denied from essential drugs or hospitalization in

<sup>51</sup> *Suo Moto Writ Petition (Civil) No.7/2020* Before the Supreme Court of India. [https://api.sci.gov.in/supremecourt/2020/12672/12672\\_2020\\_36\\_319\\_22526\\_Order\\_12-Jun-2020.pdf](https://api.sci.gov.in/supremecourt/2020/12672/12672_2020_36_319_22526_Order_12-Jun-2020.pdf).

<sup>52</sup> *Suo Moto Writ Petition (Civil) No.8/2020* Before the Supreme Court of India. [https://api.sci.gov.in/supremecourt/2020/14024/14024\\_2020\\_31\\_6\\_23061\\_Order\\_22-Jul-2020.pdf](https://api.sci.gov.in/supremecourt/2020/14024/14024_2020_31_6_23061_Order_22-Jul-2020.pdf).

<sup>53</sup> Prakash Tendulkar, et al. (April 12, 2023) *Comparative Study Between the First and Second Wave of COVID-19 Deaths in India: A Single Center Study*. *Cureus* 15(4): e37472. <http://doi:10.7759/cureus.37472>



any part of the country for the lack of providing their residential proof of that UT/State or any Identity proof; the court also directed the “government of India” shall revisit its protocols & initiatives, including the oxygen availability, pricing, availability of vaccines, essential drugs at affordable prices and also respond to all the other issues highlighted in the order before the next date of the hearing.<sup>[54]</sup> Apart from this *Suo Moto* case taken in 2021 regarding the COVID-19 pandemic, the Apex Court of India was continuously directing on matters that were taken on *suo moto* in 2020. For example, the Supreme Court of India took *suo moto* cognizance regarding the problems and miseries of migrant workers across the country on 26th May 2020, and a detailed order was passed on 9<sup>th</sup> June 2020.<sup>[55]</sup> The same case was continuously monitored, and comprehensive orders were made regarding the problems and miseries of migrants, even in the year 2021 on 29<sup>th</sup> June 2021.<sup>[56]</sup>

Thus, the Supreme Court of India has taken *suo moto* cognizance of higher number of cases when compared to the cases filed prior to and after the year 2020 and some of those were continuously monitor till the end of the pandemic.

Again, when we consider the high courts of India situated in different states of the country we can witness considerably many landmark cases. During the initial stage of the COVID-19 pandemic situation in the southern state of India i.e. Tamil Nadu, there lived a famous neurosurgeon Dr. Simon Hercules. He was also serving the people even during the COVID-19 pandemic situation, but he was affected due to the coronavirus and died. Then, when his family and friends tried to bury him in a burial ground in Chennai, they were brutally attacked by the local people, and subsequently, the local people who attacked them were arrested by the police.<sup>[57]</sup> On seeing this incident, the Madras High Court took *suo moto* cognizance of

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<sup>54</sup> *Suo Moto Writ Petition (Civil) No.3, 2021 Before the Supreme Court of India.* [https://api.sci.gov.in/supremecourt/2021/11001/11001\\_2021\\_35\\_301\\_27825\\_Judgment\\_30-Apr-2021.pdf](https://api.sci.gov.in/supremecourt/2021/11001/11001_2021_35_301_27825_Judgment_30-Apr-2021.pdf).

<sup>55</sup> *Suo Moto Writ Petition (Civil) No.6, 2020 Before the Supreme Court of India.* [https://api.sci.gov.in/supremecourt/2020/11706/11706\\_2020\\_34\\_1501\\_22499\\_Order\\_09-Jun-2020.pdf](https://api.sci.gov.in/supremecourt/2020/11706/11706_2020_34_1501_22499_Order_09-Jun-2020.pdf).

<sup>56</sup> *Suo Moto Writ Petition (Civil) No.6, 2020 Before the Supreme Court of India.* [https://api.sci.gov.in/supremecourt/2020/11706/11706\\_2020\\_34\\_1501\\_22499\\_Order\\_09-Jun-2020.pdf](https://api.sci.gov.in/supremecourt/2020/11706/11706_2020_34_1501_22499_Order_09-Jun-2020.pdf).

<sup>57</sup> “India Coronavirus: Twenty Held for Stopping Funeral of Doctor Who Died of Covid-19,” 21 April 2020. <https://www.bbc.com/news/world-asia-india-52364571>. [accessed: 9.9.2024].

the issue and declared that the right to decent burial is a constitutional right and anyone causing harm to that right will be severely dealt with.<sup>[58]</sup> Similarly, in another sensational landmark case of Jeyaraj and Bennicks (father and son) custodial death case at “Sathankulam, Thoothukudi District”. The “Madras High Court Madurai Bench” took suo motu cognizance on the matter wide “Suo Moto Writ Petition No.7042/2020”.<sup>[59]</sup> The court passed many directions like ordering the revenue department to take care of the entire station and shifting police officers to secure the evidence (for the first time in India), following this the preliminary report of Kovilpati magistrate against the Sathankulam police was viewed seriously.<sup>[60]</sup>

During the COVID-19 pandemic sudden lockdown, many people feared loss of income during curfew, and they were unable to handle the situation, which turned into stress among the adults and led to many kinds of abuse. The children and women were found to be affected mainly by the domestic violence, and within a week of announcing the lockdown, nearly 257 complaints were received related to crimes against the women. Taking note of the situation, the High Court of Jammu & Kashmir took suo moto cognizance of the matter at the same time, gave many suggestions and directions to handle the situation.<sup>[61]</sup> Thus, the high courts of India have also made some orders and directions pertaining to the pandemic situation.

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<sup>58</sup> Emmanuel Meera, “‘Article 21 Includes Right to Decent Burial’, Madras HC Registers Suo Motu PIL after Mob Obstructs Burial of Doctor Who Died from COVID-19” *Bar and Bench – Indian Legal News*, 21 April 2020. <https://www.barandbench.com/news/litigation/article-21-includes-right-to-decent-burial-madras-hc-registers-suo-motu-pil-after-mob-obstructs-burial-of-doctor-who-died-from-covid-19>. [accessed: 9.9.2024].

<sup>59</sup> Suo Motu W.P. (MD) No.7042 of 2020 before the Madras High Court .Madurai Bench . [https://www.livelaw.in/pdf\\_upload/pdf\\_upload-377631.pdf](https://www.livelaw.in/pdf_upload/pdf_upload-377631.pdf).

<sup>60</sup> SNS. “5 Police Officers Arrested in Custodial Death of Father-Son Duo Jayaraj and Bennicks” *The Statesman* (blog), 2 July 2020. <https://www.thestatesman.com/india/5-police-officers-arrested-custodial-death-father-son-duo-jayaraj-bennicks-1502905354.html>. [accessed: 10.9.2024].

<sup>61</sup> Bhumika Indulia, “J&K HC | Rising Domestic Violence amid Lockdown — Court Suggests Measures and Directions, Takes Cognizance Suo Motu” *SCC Times* (blog), 19 April 2020. <https://www.sconline.com/blog/post/2020/04/19/jk-hc-rising-domestic-violence-amid-lockdown-court-suggests-measures-and-directions-takes-cognizance-suo-motu/>. [accessed: 11.9.2024].

#### 4.1. Impact and Efficacy of Measures Taken by Indian Higher Judiciary through Social Action Litigation during COVID-19 Pandemic

We have observed the approach of the Indian higher judiciary towards social action litigation during the COVID-19 pandemic by revisiting some cases taken up by the judiciary in the discussion above. However, to analyze its efficacy and its impact, we must revisit the effect of these judgments or orders. In this section, we will review some of the impacts to investigate the effectiveness of these measures and how they helped to improve the lives of affected individuals. We already saw that the “Supreme Court of India” took suo moto cognizance regarding the condition of prisoners in the country during the pandemic through “Suo Moto Writ Petition (Civil) No.1/2020” as a result of that social action litigation case almost 68,264 prisoners were released as of 25 October 2020, which is 17.2 percentage of the overall prison population.<sup>[62]</sup> Regarding the case “Suo moto Writ Petition (Civil) No.4/2020, the condition of children (within the ambit of the Juvenile Justice Act, 2015) living in protection homes”, the state governments and government of India were continuously updating the condition of children in protection homes and measures taken as per guidelines to the supreme court. For example, in a revisiting the order dated 11 June 2020 regarding this case, the Apex Court made the following statement against the government of Tamil Nadu “It appears that 35 out of 57 children in a protection home at Royapuram, Chennai have been infected with COVID-19 and are hospitalized. The remaining children have been shifted to an adjacent building. We direct the secretary of the Health and Family Welfare Department, State of Tamil Nadu, and the Secretary of the Social Welfare Department to submit a report detailing the reasons for the spread of COVID-19 in the said protection home. The status of the health of children in conflict with law in various protection homes in the State of Tamil Nadu shall be given in the report, which shall be submitted by 15 June 2020.”<sup>[63]</sup> This statement clearly shows that the higher judiciary ensures the order is executed

<sup>62</sup> Shalika Harsh Mahaseth, Apurva Ambasth, “The State of Prisons in India during Covid-19: The Impact on Incarcerated Persons” *International Journal of Conflict and Violence (IJCV)*, Vol. XVII (2023). [accessed: 5.7.2025].

<sup>63</sup> Suo Moto Writ Petition (Civil) No.4/2020 Before the Supreme Court of India. [https://api.sci.gov.in/supremecourt/2020/10820/10820\\_2020\\_36\\_2\\_22519\\_Order\\_11-Jun-2020.pdf](https://api.sci.gov.in/supremecourt/2020/10820/10820_2020_36_2_22519_Order_11-Jun-2020.pdf).

correctly for the benefit of children in conflict with the law during a pandemic. On another significant occasion during pandemic the “Supreme Court of India” introduced video conferencing rules in 2020 through its social action litigation case of “Suo Motu Writ Petition (Civil) No.5/2020”, and this made a significant impact on the administration of Indian Courts has a result of this order, the high courts heard 92,31,640 cases while the district and subordinate courts heard 2,57,14,770 cases (totalling 3.49 crore) till 31 January 2025 using video conferencing from 04/06/2020 onwards.<sup>[64]</sup>

Regarding the high courts of India, we have also examined several social action litigation cases decided by the high courts of India. One notable case was that of Dr. Simon Hercules, in which the honourable Madras High Court declared that “the right to a decent burial is a constitutional right” as a consequence of that judgment and a petition filed by Anandhi Simon (wife of Simon Hercules). Finally, his body was exhumed from the Velangadu cemetery and buried again in Kilpauk cemetery with precautionary guidelines, and rituals carried out after one year of that incident.<sup>[65]</sup>

Thus, the Indian higher judiciary has shown significant efficacy during the COVID-19 pandemic through its interventions in social action litigation. The above-mentioned notable outcomes included the release of over 68,000 prisoners to reduce overcrowding, continuous judicial oversight of child protection homes, the successful implementation of video conferencing court hearings, with over 3.49 crore cases heard as of 31 January 2025, and the upholding of the constitutional right of decent burial in the case of Dr. Simon Hercules. These impactful results reflect the judiciary’s ability to enforce its orders effectively and safeguard public rights during an unprecedented crisis.

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<sup>64</sup> “Video Conferencing. Department of Justice. India.” <https://doj.gov.in/video-conferencing/>. [accessed: 5.7.2025].

<sup>65</sup> T.N. M. Staff, “Over a Year after Dr Simon’s Death, He Gets Proper Burial in Chennai’s Kilpauk Cemetary.” *The News Minute*, 26 July 2021. <https://www.thenewsminute.com/tamil-nadu/over-year-after-dr-simon-s-death-he-gets-proper-burial-chennai-s-kilpauk-cemetary-152945>. [accessed: 5.7.2025].

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The Role of Indian Higher Judiciary’s Social Action Litigation aftermath of COVID-19 Pandemic

After the pandemic, the Indian judiciary, as well as the people of India, resumed normal conditions. This statement can be well understood by observing the latest statistics on letters filed after the pandemic, as mentioned in the table below.

Table 2: Letter Petitions Received/Filed under PIL/SAL in the Supreme Court of India as per latest Indian Judiciary Annual Report 2023-24

YEAR	Letter-Petitions Received in English, Hindi, and Other Regional Languages
2019	70 403
2020	69 124
2021	111 830
2022	115 120
2023	73 216
2024 (till 31.08.2024)	34 212

Source: Indian judiciary annual report 2023-24<sup>[66]</sup>

From the above mentioned table we can easily understand the number of letters received has decreased in the years of 2023 and 2024. On 24 March 2023 the “Supreme Court of India” pronounced the Judgement that “all those under trials/convicts who have been released on emergency parole/ interim bail pursuant to the recommendation of the High-Powered Committee, in compliance of the orders dated 23 March 2020, 7 May 2021, and 16 July 2021, passed by this court in *Suo Moto Writ Petition No.01/2020*, have to surrender before the concerned prison authorities within 15 days”,<sup>[67]</sup> which again proves the role of judiciary in normalized situation. The video conferencing case hearings that emerged as a legal innovation during the COVID-19 pandemic have increased even after the COVID-19 pandemic.

<sup>66</sup> Indian Judiciary Annual Report (2023-2024) Supreme Court of India <https://cdnbbsr.s3waas.gov.in/s3eco49of1f4972d133619a60c3of3559e/uploads/2024/12/2024120414.pdf>. [accessed: 5.7.2025].

<sup>67</sup> *Suo Moto Writ Petition (Civil)No.1/2020* Before the Supreme Court of India. [https://api.sci.gov.in/supremecourt/2020/9761/9761\\_2020\\_4\\_1508\\_43078\\_Judgement\\_24-Mar-2023.pdf](https://api.sci.gov.in/supremecourt/2020/9761/9761_2020_4_1508_43078_Judgement_24-Mar-2023.pdf).

For example, since the COVID lockdown began, the district courts and the high court have heard a total of 1.71 crore cases as of 31 January 2022,<sup>[68]</sup> and a total of 3.49 crore cases as of 31 January 2025,<sup>[69]</sup> which clearly shows progress in the number of video conferences even after the pandemic. Finally, the entire situation normalized and continues to this day.

## 6 | Conclusion

Thus, we have revisited the origin of “social action litigation” in India and also reviewed the evolution of social action litigation in various phases, with special reference to the COVID-19 pandemic. When we analyze the number of letters received during the COVID-19 pandemic situation by the Supreme Court from people across the country, we can understand the hope of the people in the Apex Court. There is an increase in the number of letters in consecutive years, 2021 and 2022, which again shows that people have more hope in the country’s judiciary. Again, when we analyze the evolution of social action litigation, there will be a social activist or an NGO behind every phase of evolution. However, when we consider the period of the COVID-19 pandemic situation, it is the Indian judiciary on its own motion delivered justice to its people, and that is why we, as the authors of this paper, want to quote it as a revolution rather than calling it as evolution. Moreover, we would like to conclude by saying that the Indian judiciary has fulfilled the hopes of its people to a decent level. At the same time, this approach of the Indian judiciary can be termed the fourth phase of social action litigation in India. In this concluding part, as the authors of this paper, it is our responsibility to answer the question that arises in our minds upon seeing the title, whether it is necessary to research the Indian Judiciary’s approach towards social action litigation during the COVID-19 pandemic, which is a past event. Even though it is a past event, we must not forget the history of the contribution made by the Indian higher judiciary during the COVID-19 situation to its country.

<sup>68</sup> Online Courts for Ensuring Fair Trial. <https://www.pib.gov.in/Pressreleaseshare.aspx?PRID=1807613>. [accessed: 5.7.2025].

<sup>69</sup> Video Conferencing. Department of Justice. India. <https://doj.gov.in/video-conferencing/>. [accessed: 5.7.2025].

This study will be beneficial in maintaining the rule of law in unforeseen situations in the future. Since social action litigation, especially letter petitions is a direct bridge between the people and the Indian higher judiciary, we suggest developing a dedicated online letter submission platform to expedite the process, which will be more useful for both the general public and judiciary officials to process.

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