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## LGBTQ + rights (same sex marriage): The fight for recognition

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### Abstract

This paper examines the ongoing struggle for the recognition of same-sex marriage, focusing on the multifaceted challenges and advances in this global movement. It explores the legal battles, societal shifts, and advocacy efforts that have shaped the discourse on same-sex marriage. By analysing key legal cases, legislative developments, and social attitudes across different jurisdictions, the study highlights the complexities and progress in the fight for equal recognition. It also evaluates the impact of these developments on LGBTQ+ individuals and communities. The paper aims to provide a comprehensive understanding of the fight for same-sex marriage recognition, offering insights into the strategies that have driven change and the barriers that remain.

**Keywords:** Same-sex marriage, legal battles, societal shifts, advocacy efforts

### Introduction

Same-sex marriage, also known as gay marriage or lesbian marriage, is a union between two people of the same sex. The acronym LGBTQ + and LGBTQIA + community <sup>[1]</sup> stands for lesbian, gay, bisexual, transgender, queer, intersex, asexual, and others. All these are briefly defined in following lines:

- **L (Lesbian):** A lesbian is a woman/woman-aligned person who is attracted to only people of the same/similar gender.
- **G (Gay):** Gay is usually a term used to refer to men/men-aligned individuals who are only attracted to people of the same/similar gender. However, lesbians can also be referred to as gay. The use of the term gay became more popular during the 1970s.
- **B (Bisexual):** Bisexual indicates an attraction to all genders. The recognition of bisexual individuals is important, since there have been periods when people who identify as bisexual have been misunderstood as being gay. Bisexuality has included transgender, binary and nonbinary individuals since the release of the "Bisexual Manifesto" in 1990.
- **T (Transgender):** Transgender is a term that indicates that a person's gender identity is different from the gender associated with the sex they were assigned at birth.
- **Q (Queer or Questioning):** Though queer may be used by people as a specific identity, it is often considered an umbrella term for anyone who is non-cisgender or heterosexual. It is also used as a slur. Questioning refers to people who may be unsure of their sexual orientation and/or gender identity.
- **Intersex:** A term to describe individuals who are born with variations of sex characteristics that do not fit with binary definitions of male or female bodies.<sup>1</sup>
- **Asexual:** Sometimes shorted to "ace," this term refers to someone who has little or no sexual attraction; they may, however, experience romantic attraction.
- **+ (Plus):** The 'plus' is used to signify all other gender identities and sexual orientations that are not specifically covered by the other five initials such as two spirit or gender fluidity.

These terms are used to describe a person's sexual orientation or gender identity. Efforts to secure LGBTQ+ marriage rights continue through legal advocacy, awareness campaigns, and international pressure through passing of laws allowing such marriage in various countries. It is quite important to monitor legal developments and activities of organizations working toward equality.

Those who support same-sex marriage argue that it is a basic human right and that denying same-sex couples the right to marry is discriminatory. They believe that all people should

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have the same legal rights and protections, regardless of their sexual orientation. The most prominent supporters of same-sex marriage are the world's major medical and scientific communities, along with human rights and civil rights organizations, while its most prominent opponents are religious fundamentalist groups. Polls consistently show continually rising support for the recognition of same-sex marriage in all developed democracies and in some developing countries. Scientific studies show that the financial, psychological, and physical well-being of gay people are enhanced by marriage, and that the children of same-sex parents benefit from being raised by married same-sex couples within a marital union that is recognized by law and supported by societal institutions. Social science research indicates that the exclusion of same-sex couples from marriage stigmatizes and invites public discrimination against gay and lesbian people, with research repudiating the notion that either civilization or viable social orders depend upon restricting marriage to heterosexuals. Opponents of same-sex marriage often cite religious or moral objections, arguing that marriage should be reserved for heterosexual couples. They also argue that same-sex marriage undermines the traditional definition of marriage and may have negative effects on children raised by same-sex couples. Many religious and cultural groups believe that marriage should only be between a man and a woman. They argue that changing the traditional definition of marriage would go against the fundamental principles of their beliefs and values. Some people argue that the primary purpose of marriage is procreation, and that same-sex couples cannot have biological children. Therefore, they believe that same-sex marriage should not be allowed because it goes against the natural order of things. There are concerns that allowing same-sex marriage will create legal problems, such as issues with inheritance, tax, and property rights and it would be too difficult to change all the laws and regulations to accommodate same-sex marriage.

Overall, the issue of same-sex marriage remains a highly contentious and debated topic around the world. The first same-sex couple to be married legally in modern times were Michael McConnell and Jack Baker in 1971 in the United States; they were married in the county of Blue Earth County, Minnesota<sup>[2]</sup>. The first law providing for marriage equality between same-sex and opposite-sex couples was passed in the continental Netherlands in 2000 and took effect on 1 April 2001<sup>[3]</sup>.

Many countries have legalized same-sex marriage, including Canada, the United States, and much of Europe. As of 2023, marriage between same-sex couples is legally performed and recognized in 34 countries that have a total population of more than 1 billion people (17% of the world's population), with the most recent being Andorra. It will become legal in a 35th country, Estonia, on 1 January 2024<sup>[4]</sup>. However, in other countries, such as many African and Middle Eastern nations, homosexuality remains illegal and same-sex marriage is not recognized.

Currently, same-sex marriage is not legal in India. Section 377 of the Indian Penal Code criminalized homosexual acts in 1861, and although the law was decriminalized in 2018 by the Supreme Court of India, it did not explicitly legalize same-sex marriage. However, the court's decision paved the way for greater acceptance and recognition of the rights of the LGBTQ+ community in India.

India has a long and complex history when it comes to

sexuality and gender identity. The country's cultural and religious traditions have often been used to justify discrimination and oppression against marginalized groups, including the LGBTQ+ community. The ancient Hindu texts known as the Vedas describe a variety of sexual practices and gender identities, but these have been largely suppressed and condemned by conservative interpretations of Hinduism.

The British colonial period had a significant impact on India's laws and attitudes towards homosexuality. The colonial government introduced Section 377 of the Indian Penal Code, which criminalized "carnal intercourse against the order of nature" and included consensual homosexual acts. This law remained in place after India gained independence in 1947 and was used to justify discrimination and harassment of the same sex couples.

In recent years, there has been a growing movement for LGBTQ+ rights in India. LGBTQ+ activists have organized protests and campaigns to raise awareness of the discrimination and violence faced by queer people in India. In 2009, the Delhi High Court in *Naz Foundation v. Government of NCT of Delhi*<sup>[5]</sup>, declared Section 377 unconstitutional, but this decision was overturned by the Supreme Court in 2013 in *Suresh Kumar Koushal v. Naz Foundation*<sup>[6]</sup>,

However, in a landmark decision in 2018, *Navtej Singh Johar v. Union of India*<sup>[7]</sup>, the Supreme Court of India decriminalized consensual homosexual acts and declared Section 377 unconstitutional. The court's decision was celebrated by LGBTQ+ activists and supporters across India, who saw it as a major step towards greater equality and recognition.

A gay couple, Nikesh and Sonu, filed a petition seeking legal recognition of their marriage in the Kerala High Court on 24 January 2020. Kerala High Court Justice Anu Sivaraman admitted the petition on 27 January 2020<sup>[8]</sup>. Four queer people, Abhijit Iyer Mitra, Gopi Shankar M, Giti Thadani and G. Oorvas, filed a petition seeking legal recognition of same sex marriage in the Delhi High Court on 8 September 2020. A two-judge Bench of Delhi High Court, consisting of Chief Justice of Delhi High Court D.N. Patel and Justice Prateek Jalan, admitted the petition on 14 September 2020<sup>[9]</sup>.

A gay couple, Supriya Chakraborty and Abhay Dang, filed a petition seeking legal recognition of their marriage in the Supreme Court of India on 14 November 2022<sup>[10]</sup>. A two-judge Bench of the Supreme Court, consisting of Chief Justice of India D.Y. Chandrachud and Justice Hima Kohli, admitted the petition along with petition of another gay couple, Parth Phiroze Mehrotra and Uday Raj Anand, on 25 November 2022<sup>[11]</sup>.

The Supreme Court bench consisting of Chief Justice of India D.Y. Chandrachud and Justice P.S. Narasimha and Justice J.B. Pardiwala directed high courts to transfer nine similar petitions<sup>[12]</sup> - eight from Delhi High Court and one from Kerala High Court-to the Supreme Court to consider alongside the original petitioners<sup>[13]</sup>. On 15 March 2023, the Supreme Court admitted 20 connected petitions filed by 52 same sex people, including 17 same sex couples<sup>[14]</sup>.

Most of the petitioners wanted recognition of right to marry under secular marriage laws-the Special Marriage Act and the Foreign Marriage Act. As various news reports<sup>[15]</sup>, case studies<sup>[16]</sup> and official publications of the Law Commission<sup>[17, 18]</sup> documented unwarranted interferences in

marriage due to the notice and objection provision of secular marriage laws and recommended its removal, most of the petitioners seeking recognition under secular marriage laws challenged the constitutionality of the notice and objection provisions.

Some of the petitioners are practising Hindus who believe that Hinduism does not prohibit same sex marriage. They argued that excluding same sex marriage from the Hindu Marriage Act amounted to a violation of their freedom to practice their religion.

Many advocates represented the petitioners, while Attorney General R. Venkataramani and Solicitor General Tushar Mehta represent the respondents. The Supreme Court appointed Advocate Arundhati Katju and Kanu Agrawal as the Nodal Counsel for the petitioners and respondents, respectively.

Supriyo A.K.A Supriya Chakraborty & Abhay Dang V. Union of India THR. Its Secretary, Ministry of Law and Justice & other connected cases (2023) was an ongoing collection of landmark cases of the Supreme Court of India, which was set to consider whether to extend the right to marry and establish a family to LGBT Indians. A 5-judge Constitution Bench, consisting of Chief Justice of India D.Y. Chandrachud, Justice Sanjay Kishan Kaul, Justice Ravindra Bhat, Justice Hima Kohli and Justice P.S. Narasimha, was hearing 20 connected cases brought by 52 petitioners from 18 April 2023.

The petitioners, consisting of same sex couples and LGBT activists, requested recognition of the right to marry and establish a family based on protections from discrimination, the right to equality, dignity, personal liberty, privacy and personal autonomy, and freedom of conscience and expression. Some of the submissions made by the petitioners detailed below:

They do not enjoy any of the rights that married couples do, even though the Hon'ble Court has time and again declared that all adults have the right to marry a person of their choice.

The Hon'ble Supreme Court, in *Lata Singh v. State of UP*, (2006) 5 SCC 475 [DB], *Shafin Jahan v. Asokan K. M.*, (2018) 16 SCC 368 [FB] and *Laxmibai Chandaragi B. v. State of Karnataka*, (2021) 3 SCC 360 [DB], has held that Article 21 guarantees that an adult person has the right to marry a person of their choice. The autonomy of individuals to enter into a relationship of marriage and family are crucial facets of the freedom of conscience and right to privacy. This Hon'ble Supreme Court has always protected inter-faith and inter-caste couples when they chose to marry and has time and again stepped in to protect such couples where their relationships were otherwise threatened by societal and familial pressure.

In *K.S. Puttaswamy v. UOI* <sup>[19]</sup>, nine judges of this Hon'ble Court concurred that rights of LGBTQ+ persons -

"145. ....are not 'so-called', but are real rights founded on sound constitutional doctrine. They inhere in the right to life. They dwell in privacy and dignity. They constitute the essence of liberty and freedom."

Thereafter, in *Navtej Singh Johar & Ors. v. UOI*, <sup>[20]</sup>, this Hon'ble Court held that -

"618.2. Members of the LGBT community are entitled, as all other citizens, to the full range of constitutional rights including the liberties protected by the Constitution;

618.3. The choice of whom to partner, the ability to find fulfilment in sexual intimacies and the right not to be

subjected to discriminatory behaviour are intrinsic to the constitutional protection of sexual orientation;

618.4. Members of the LGBT community are entitled to the benefit of an equal citizenship, without discrimination, and to the equal protection of law; ..."

Post the decision in *Johar* (supra), constitutional courts across the country have protected LGBTQ+ couples who approach them for protection, on the same footing as they protect inter-faith and inter-caste couples.

In *Johar*, the Hon'ble Supreme Court observed that history owes an apology to the LGBTQ+ community for the decades of exclusion and discrimination meted out to them. It has placed a positive obligation on the State to "recognize rights which bring true fulfilment to same sex relationships. The non-recognition of same-sex marriage is an act of discrimination that strikes at the root of dignity and self-fulfilment of the LGBTQ+ couples. Structural changes as well as attitudinal changes are essential for the members of the LGBTQ+ community and for their families. Equality is not achieved with the decriminalization of homosexuality alone but must extend to all spheres of life including the home, the workplace, and public places. At the heart of personal liberty lies the freedom to choose who we are, to love whom we will, and to live a life that is true to our conscience, not only without the fear of persecution but in full-hearted joy and as equal citizens of this country.

Married couples enjoy a host of rights, privileges and obligations bestowed and protected by law. They can adopt children or have children by surrogacy or ART. They have automatic rights to consortium, inheritance, maintenance and tax benefits. They are beneficiaries under a host of employment statutes. The State's protection to a spouse continues even after death as a widow or widower, or their children, can avail pension or compassionate appointments. More importantly, though, marriage is one of the keyways in which society accepts, respects and validates a couple, and crucially, this is a social status which is bestowed by law. Marriage is a social institution that is created by and highly regulated by law.

Any couple must work hard to have a successful marriage as they face life's challenges together. For couples who cannot marry due to social barriers of caste or faith, that work is that much harder. By excluding same-sex couples altogether from the realm of marriage, the law places a burden on same-sex couples that is constitutionally impermissible.

The Special Marriage Act, 1954, was introduced to provide a civil form of marriage for couples who cannot marry under their personal law. Special Marriage Act discriminates between same sex couples and opposite sex couples, denying same-sex couples both legal rights as well as the social recognition and status that flow from marriage. Member belonging to the LGBTQ+ community are citizen of this country. They are significant numbers. As noted by the Hon'ble Supreme Court in *Navtej Singh Johar & Ors. v. Union of India*, (2018) 10 SCC 1, LGBTQ+ citizens constitute 7-8% of the population of this country. Non-recognition of same-sex marriage violates their rights under Article 14, 15, 19 and 21 of the Constitution of India. The Special Marriage Act can be interpreted in a gender-neutral manner to include same sex couples and transgender persons. This presents no problems to the working of the statute and upholds the constitutionality of the statute.

Delhi Commission for Protection of Child Rights, a statutory body, during the ongoing hearing of

Supriyo a.k.a Supriya Chakraborty & Abhay Dang v. Union of India THR. Its Secretary, Ministry of Law and Justice & other connected cases (2023) supported extending the right to marry and adopt for queer people <sup>[21]</sup>.

The Union Government and its statutory body National Commission for Protection of Child Rights, opposed extending the right to marry and establish a family to queer Indians due to societal, cultural and religious history, consistent legislative policy, popular morality and majoritarian views. Islamic organisations Jamaat and Telangana Markazi Shia Ulema Council opposed the right to marry and establish a family for queer Indians on socio-legal and religious grounds.

Independent professional association, the Indian Psychiatric Society, supported marriage and adoption rights for queer people based on scientific evidence, as the opponents raised concerns over the well-being of children in same-sex families. The claim that HIV is more common among gay and bisexual men is contrary to Ministry of Health and Family Welfare data, which shows that opposite-sex acts caused 83.1 percent of HIV transmission in India and same-sex acts with a 2.5 percent transmission rate was a penultimate cause.

The government stated before the court that the concept of same-sex marriage is a "mere urban elitist view for the purpose of social acceptance" and argued that the redefinition of marriage should factor in the input of the larger society, even beyond the remit of Parliament. Although government did not have any data to support the claim that same-sex marriage is an urban elitist view <sup>[22]</sup>.

The five-judge Constitution bench headed by Chief Justice DY Chandrachud, said that: "To say that the right to marry is not a constitutional right would be far-fetched. Look at the core elements of marriage. Each one of them has a constitutional value...So, we must accept as a basic proposition that marriage itself is entitled to constitutional protection. It is not just a matter of statutory recognition. Once we have crossed that threshold, the next issue is if heterosexuality is a core element of marriage,"

After hearing in the matter of recognition of same-sex marriage The Supreme Court in a 366 pages long verdict by the 5-judge Constitution Bench, heavy on words, all judges said in one voice that there is no fundamental right to marry and that the Supreme Court could not enter judicial legislation to read words into the Special Marriage Act and make it a gender-neutral legislation. The Court left it to Parliament to undertake this process.

All 5 judges unanimously held that there is no fundamental right to marry. CJI Chandrachud who elaborately dealt with the issue in his 247 pages long verdict wrote, "The Constitution does not expressly recognize a fundamental right to marry. An institution cannot be elevated to the realm of a fundamental right based on the content accorded to it by law. However, several facets of the marital relationship are reflections of constitutional values including the right to human dignity and the right to life and personal liberty."

"175. In Shafin Jahan and Shakti Vahini, the issue before this Court was whether State or non-State actors could interfere with a person's choice of whom to marry. The law prescribes certain essential conditions for a valid marriage. In both these cases, this Court dealt with situations where State or non-State actors prevented a couple which was otherwise entitled to marry, from marrying. In the case of Shafin Jahan (supra), the restriction was sought to be

imposed because the partners belonged to different religions and in Shakti Vahini (supra), this Court dealt with the issue of restraints placed by the society on the 165 Paragraph 45 of the judgment. PART D 136 exercise of a person's right to marry a person of a difference caste and religion. In Shafin Jahan (supra) this Court held that religion and caste cannot be impediments in the exercise of a person's right to choose whom to marry. In Shafin Jahan (supra) this Court held that no State or non-State entity can interfere with their right to marry a person of their choice <sup>[23]</sup>."

While the verbose judgment touched upon various aspects relating to the rights of the LGBTQIA+ community, The observations of the hon'ble court are extracted below:

The hon'ble court held that,

"There is no universal conception of the institution of marriage, nor is it static. Under Articles 245 and 246 of the Constitution read with Entry 5 of List III to the Seventh Schedule, it lies within the domain of Parliament and the state legislatures to enact laws recognizing and regulating queer marriage.

The Constitution does not expressly recognize a fundamental right to marry. An institution cannot be elevated to the realm of a fundamental right based on the content accorded to it by law. However, several facets of the marital relationship are reflections of constitutional values including the right to human dignity and the right to life and personal liberty.

The freedom of all persons including queer couples to enter into a union is protected by Part III of the Constitution. The failure of the state to recognise the bouquet of entitlements which flow from a union would result in a disparate impact on queer couples who cannot marry under the current legal regime. The state has an obligation to recognize such unions and grant them benefit under law.

The decisions in Navtej and Justice KS Puttaswamy recognize the right of queer couples to exercise the choice to enter into a union. This relationship is protected from external threat. Discrimination on the basis of sexual orientation will violate Article 15.

Transgender persons in heterosexual relationships have the right to marry under existing law including personal laws which regulate marriage.

Intersex persons who identify as either male or female have the right to marry under existing law including personal laws which regulate marriage <sup>[24]</sup>."

In contemporary times it is clear that the evolution of rights for same-sex couples depended to a great extent upon the interplay of a country's institutional forces such as parliament, government and judiciary. India is a signatory to various international human rights treaties and conventions, which require it to protect the rights of all individuals, including the LGBTQ+ community. As many other countries such as Canada, the United States, and Australia have recognized same-sex marriage, it will be a matter of concern whether India legalizes it in future to ensure equal rights and opportunities for all individuals regardless of their sexual orientation.

In countries such as India where consensus has yet to be reached on this issue, the debate is unlikely to be resolved quickly or easily. In some parts of the world, such as those plagued by war or natural disasters, same sex marriage is simply not an urgent matter. In others, the broad spectrum of notions about sexuality and the purpose of marriage is compounded by national pluralism and a tendency

for secularism and religiosity to intersect in complex and unexpected ways <sup>[25]</sup>.

The recognition of the right to marry for same-sex couples will represent a monumental step towards fostering inclusivity and ensuring equal rights. It will signify a departure from historical restrictions, highlighting that love transcends gender boundaries. Legal frameworks may be adapted to acknowledge and protect these unions underscore society's evolving understanding of relationships, as well as the importance of embracing diversity within the institution of marriage.

### Conclusion

The ongoing struggle for the recognition of same-sex marriage encapsulates a complex interplay of legal, societal, and advocacy efforts. This paper has delved into the multifaceted challenges and advances associated with this global movement, revealing the significant strides made as well as the enduring barriers.

Legally, the journey towards equal recognition has been marked by pivotal battles and landmark cases. While some countries have embraced marriage equality, as evidenced by legislative changes in nations like the Netherlands, Canada, and the United States, others continue to grapple with deeply entrenched opposition and cultural resistance. The decriminalization of homosexual acts in India in 2018 was a major step forward; however, it did not fully address the legal recognition of same-sex marriage, highlighting the gap between decriminalization and the attainment of marriage equality.

Societal shifts have also played a crucial role in advancing the cause. Polls consistently show increasing support for same-sex marriage in developed democracies and some developing countries, reflecting changing attitudes towards LGBTQ+ rights. Despite this progress, opposition rooted in religious, cultural, and moral objections remains a significant hurdle. Such resistance often hinges on traditional views of marriage and concerns about its implications for societal norms and child-rearing.

Advocacy efforts have been instrumental in shaping discourse and influencing legal reforms. Activists and organizations have utilized legal challenges, public campaigns, and international pressure to advance their cause. In India, recent petitions and judicial actions underscore a growing demand for marriage equality, although the Supreme Court's recent ruling has left the matter largely in the hands of Parliament. The evolving legal landscape and the ongoing debates reflect both the progress made and the challenges that persist.

The fight for same-sex marriage recognition is far from over. It represents not only a legal struggle but also a broader quest for social justice and equality. The recognition of same-sex marriage would signify a significant shift towards inclusivity, acknowledging that love and commitment transcend gender boundaries. As societal attitudes continue to evolve and legal frameworks adapt, the hope remains that all individuals, regardless of their sexual orientation, will ultimately achieve equal rights and recognition.

### References

1. Available from: [https://en.wikipedia.org/wiki/LGBT\\_community](https://en.wikipedia.org/wiki/LGBT_community)

2. Eskridge WN, Riano CR. *Marriage Equality: From Outlaws to In-Laws*. New Haven: Yale University Press; c2020. p. 24.
3. Winter C. In 14 years, same-sex marriage has spread round the world. Bloomberg; c2014 4 Dec. Available from: <https://www.bloomberg.com/news/articles/2014-12-04/gay-marriage-same-sex-partners-can-wed-in-many-countries>
4. Wikipedia. Same-sex marriage. Available from: [https://en.wikipedia.org/wiki/Same-sex\\_marriage](https://en.wikipedia.org/wiki/Same-sex_marriage)
5. 2009 SCC Online Del 1762.
6. (2014) 1 SCC 1.
7. (2018) 10 SCC 1.
8. Nikesh PP. v. Union of India. W.P. (C) No. 2186/2020.
9. Abhijit Iyer Mitra v. Union of India. W.P. (C) No. 6371/2020.
10. Supriyo v. Union of India. W.P.(C) No. 1011/2022.
11. Ibid.
12. Nikesh P.P. v. Union of India, Vaibhav Jai v. Union of India, Dr Kavita Arora v. Union of India, Udit Sood v. Union of India, Joydeep Sengupta v. Union of India, Supriyo v. Union of India, Parth Phiroze Mehrotra v. Union of India, Sameer Samudra v. Union of India, Aditi Anand v. Union of India, Utkarsh Saxena v. Union of India, Nitin Karan v. Union of India, Kajal v. Union of India, Amburi Roy v. Union of India, Akkai Padmashali v. Union of India, Rituparna Borah v. Union of India, Harish Iyer v. Union of India.
13. Supreme Court transfers to itself all petitions on same-sex marriage. The Hindu. 6 Jan 2023. ISSN 0971-751.
14. Supriyo V. Union of India and other connected cases.
15. Ghaziabad mob assaults Muslim man for registering marriage with Hindu woman. The Wire. 24 Jul 2018. Archived from the original on 25 Jul 2018.
16. Kurian S. Kerala interfaith couples harassed by right-wing vigilantes using marriage notices. The News Minute. Archived from the original on 21 Jul 2020; c2020 20 Jul.
17. Sodhi T. How Hindu vigilantes are exploiting a Special Marriage Act clause to target interfaith couples. Newslandry. Archived from the original on 26 Jul 2021; c2021 26 Jul.
18. Association for Advocacy and Legal Initiative. *Facing Reality: A Journey on the Path of Choice (Case Study)*. Lucknow, India: Association for Advocacy and Legal Initiative; c2010.
19. (2017) 10 SCC 1
20. (2018) 10 SCC 1 [CB]
21. Sharma P. DCPCR supports marriage equality petitions in Supreme Court; says Govt should create awareness that same-sex marriages are normal. Live Law. 6 Apr 2023. Available from: [www.livelaw.in](http://www.livelaw.in)
22. No data from government to indicate it is 'urban-elitist concept': SC on same-sex marriages. The Times of India. 19 Apr 2023. ISSN 0971-8257.
23. Supriyo @ Supriya Chakraborty & Anr. v. Union of India. 2023 SCC Online SC 1348.
24. Ibid.
25. Available from: <https://www.britannica.com/topic/same-sex-marriage/United-States>