

Analysis on the Misuse of Public Interest Litigation in India

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Abstract: Traditionally, Public Interest Litigation (PIL) has been a strong tool in the hands of the people for social justice and systemic overhaul to approach the courts for redressal on public issues. Nonetheless, concern has been growing lately regarding abuse and misuse of PIL, where it is used for personal or vested interests rather than any genuine public good. In this abstract, we aim to delve into the phenomenon of PIL misuse in India by examining its root causes, manifestations and implications for the legal system as well as society at large. It also explores challenges that frivolous PIL's cause including but not limited to judicial overreach, undue burden on judiciary and erosion of public faith in the judicial process through notable cases and legal precedents. Moreover, it provides a crude blueprint of how best to prevent such misuses by suggesting possible solutions and reforms such as strict scrutiny of PIL petitions cost imposition in frivolous litigation and promotion of alternative dispute resolution mechanisms among others. Finally, this abstract aims at preserving the integrity and efficacy of PILs as a vehicle for genuine public interest advocacy while guarding against their abuse for ulterior motives.

Keywords: Public Interest Litigation (PIL), Misuse, India, Legal System, Social Justice

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