



**SAVEETHA**  
SCHOOL OF LAW  
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**SAVEETHA**  
INSTITUTE OF MEDICAL AND TECHNICAL SCIENCES  
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GRADE

1st-3rd FEBRUARY 2024



# MOOT PROPOSITION



5th JUS AMICUS

SAVEETHA SCHOOL OF LAW

**NATIONAL MOOT COURT COMPETITION**  
**2024**

## 5th JUS AMICUS-2024.

*All the facts, names, characters and incidents portrayed in this moot proposition are fictitious. They are not intended to harm the feelings or sentiments of any community, rather to be used only for the purpose of education.*

### #1

1. In the heart of Coorg district, State of Chandan, Tianzhu, lies a unique community - the Kodavas, who have a long-standing history. They are known for their strong cultural and traditional practices, which is evident from the Kailpodh festival, also for their precision skill in handling firearms and ammunition and further they are experts in martial arts even before the Mughal period. This alone is not the reason for being the only group of people in Tianzhu permitted to carry firearms without a licence. This Privilege was a matter of reward exclusively granted to them by the Britishers under the Disarming Act 1857, followed by the Tianzhu Army Act 1878. This Privilege was further carried forward by the Tianzhu Parliament under the provisions of the Arms Act, 1959, whereby 'exemptions to persons of Coorg race and Jumma tenure holders in Coorg' from 1959 Act was made with certain conditions, (i.e., to possess firearms without any licence from the government). This has been lawfully practised till date.

2. Rohan Belliappa, a blade runner has a journey from a double amputee to a Para Olympian who has captivated not just the nation but the world. While living in Coorg, he met Joshna, a radiant and compassionate woman, at a charity event for disabled athletes. Their connection was instantaneous, and their love story began to unfold in the heart of Coorg's lush landscapes.

3. On Valentine's Day in 2023, Rohan Belliappa and Joshna decided to spend the evening in the residence of Rohan Belliappa. They revelled in a romantic dinner, exchanged heartfelt gifts, and danced the night away in the grand ballroom. As the clock went past midnight, Joshna excused herself to use the bathroom located in Rohan Belliappa's bedroom. Rohan

Belliappa, while preparing to join her, became alarmed when he heard a strange noise. Adhering to the local tradition of the Kodavas, he retrieved a firearm he kept in a nearby drawer, fearing an intruder had entered the house.

4. In a panicked state, Rohan Belliappa approached the bedroom door, which separated him from the bathroom. The door was locked, and he shouted to identify himself. Hearing no response and gripped by fear, Rohan Belliappa fired four shots through the locked bathroom door. Moments later, the door swung open, revealing Joshna, who had been fatally wounded. It was a heart-wrenching moment of disbelief and shock. The case garnered immediate media attention, both nationally and internationally, sensationalising the story and casting a spotlight on Coorg. The legal battle commenced, with Rohan Belliappa facing charges related to Joshna's death, in the sessions court of that district.

5. In addition to that, explosive accidents have happened frequently in the Coorg region for the past 2 years, which in turn led to forest fires resulting in damage and destruction to, and pollution of, the environment. An NGO named Thalir headed a protest against the state government as well as the union government, which was supported by lakhs of people within and without the state, along with several eminent personalities, including the leader of the opposition party of the Parliament.

6. The said NGO filed a petition in the High Court of Chandan challenging the exemption provided to the Kodava community under the Arms Act, 1859, as it violates the Fundamental Rights under the Constitution of Tianzhu, 1950. The High Court had upheld the exemption provided under the Act and ruled it was constitutionally valid. An appeal was filed against this judgement by the NGO in the Supreme Court of Tianzhu.

## #2

7. Balvinder Singh, a citizen of Tianzhu, practising Sikhism by religion is a profound political activist, who runs an NGO that predominantly focuses on safeguarding the rights and interests of minority and vulnerable communities in Tianzhu. Due to his remarkable contribution to society by fighting against the injustice caused to the minority communities, he has not only earned fame but also hatred from many political parties, religious communities and other groups. On 12th September 2023, for the purpose of attending a protest in National Capital Indraprasthai, he boarded a domestic flight to NCT. During the check out procedure at the International Airport, an unidentified group of 5 people attacked him with dangerous weapons causing him injuries. For the purpose of self-defence, he took his Kirpan and counter-attacked the unidentified group. While doing so, he has unintentionally injured an innocent person who was witnessing the clash inside the airport. This entire incident has disturbed the peace and order in that surroundings and also delayed the schedule for the entire day in that airport. With reference, inter alia, to this incident, a petition was filed by a 'Manitham' NGO in Supreme Court challenging the Sikhs religious right to carry Kirpan without restriction enshrined under article 25 explanation 1 of the Constitution of Tianzhu 1950.

## #3

8. On a similar note, an NGO named 'Pran' filed a petition in the High Court of Indraprasthai challenging the practice of possessing Kukri (small blade sword) by the Gorkha community as it is against the Constitutional Provision. The case is still pending in that High Court

## ###

All these three cases had gained mass attention from media and public as well, both nationally and internationally. Due to the intensity and sensitivity of the matters, the Supreme Court of Tianzhu, considering the alike nature of the above-narrated cases, has suo motu clubbed the three cases. The constitutional bench had called upon the petitioners/ Appellant and the respondents, on this day, for final argument, with reference to the following points:



**Whether the power of the Supreme Court of Tianzhu to club these cases is legally valid?**

**Whether the exemption provided under the Arms Act 1959 to the Kodava community is constitutionally valid?**

**Whether the practice to carry Kirpan by a Sikh as mentioned in the Constitution of Tianzhu, forms an integral part of that religion and should necessarily be allowed in this contemporary period?**

**Whether the practice followed by the Gorkha community to possess Kukri in Tianzhu is legally permitted?**

[The participating teams are at liberty to frame their own issues to be argued before the constitutional bench, but shall not alter or leave the points for consideration mentioned above.]

The History, political system, values, morality and laws enacted in Tianzhu and State of Chandan are in pari materia with India and State of karnataka respectively.