

**HON'BLE THE CHIEF JUSTICE SRI THOTTATHIL B. RADHAKRISHNAN  
AND  
HON'BLE SRI JUSTICE V. RAMASUBRAMANIAN**

**WRIT APPEAL Nos. 1101, 1107, 1113 and 1114 of 2016**

**Common Judgment:** *(per the Hon'ble the Chief Justice Sri Thottathil B. Radhakrishnan)*

We have heard the learned counsel for the appellants and the learned Government Pleader for Revenue for the respondents 1 and 2. We have also heard Sri K. Lakshman, learned Assistant Solicitor General for the respondents 3 and 4.

2. These appeals arise from a common order passed in four Writ Petitions in the year 2014. The appellant-writ petitioners sought relief of a declaration that the action of the respondents in taking over the land of the appellant-writ petitioners is without following the due process of law and is therefore, arbitrary as well as in violation of Article 300-A of the Constitution of India.

3. Adverting to the various particular facts of each case, the learned Single Judge found that as a matter of fact, the lands were covered by an earlier notification in G.O. Ms. No. 965 issued by the Government of Andhra Pradesh on 21.6.1962, which acquisition was for the purpose of the Air Force Academy. The Writ Petitions were instituted in the year 2014 on the plea that sometime in 2008, the Air Force Academy allotted part of their land to the 4<sup>th</sup> respondent-DRDO and the DRDO started digging up the land for construction of a runway and excavated certain earth.

4. The learned Single Judge noted that even as per the pleading of the appellant-writ petitioners, the existence of a runway and other factors are established by the materials on record. It is also noticed that the Ministry of Defence at the Air Head Quarters had accorded sanction on 14.1.2008 to transfer management of the Air Force land of an extent of

2.5 kms x 2 kms to DRDO for '**ORANGE**' facility. The learned Single Judge took note of award bearing No. E/40/66 dated 29.10.1966 passed by the Collector for the lands, which are now being claimed by the appellant-writ petitioners as belonging to them. The learned Single Judge ultimately held that the claims of the appellant-writ petitioners are not only unfounded, but also are false. Accordingly, the Writ Petitions were dismissed imposing costs on the appellant-writ petitioners.

5. In the light of the materials on record, we do not see any ground to hold that the impugned common order of the learned Single Judge is illegal or is vitiated by error of jurisdiction. These Writ Appeals fail.

6. In the result, these Writ Appeals are dismissed.

Pending miscellaneous petitions, if any, shall also stand closed.

No order as to costs.

**THOTTATHIL B. RADHAKRISHNAN, CJ**

**V. RAMASUBRAMANIAN, J**

Date: 2<sup>nd</sup> August, 2018

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