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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06-07-2026

CORAM

THE HON'BLE MR JUSTICE S. M. SUBRAMANIAM

AND

THE HON'BLE MR.JUSTICE N.SENTHILKUMAR

WA No. 1772 of 2026

and

WA No. 1773 of 2026

R.Pushparaj
S/o.Ranganathan,
Work Inspector,
Asst.Executive Engineer Office,
Saidapet Sub Division,
Saidapet,
Chennai 600 015.

..Appellant(s)

Vs

1. The Principal Secretary
Public works Department,
Fort St.George,
Chennai 600 009.
2. The Chief Engineer
PWD Department,
Chennai Zone,
Chepauk,
Chennai 600 005.
3. The Executive Engineer
PWD south President Divison,
Chepauk,
Chennai 600 005.
4. The Assistant Executive Engineer
PWD Department,
Saidapet Sub Division,
Saidapet,
Chennai 600 015.

..Respondent(s)



WA No. 1773 of 2026

N.Noor Rahamed
S/o.K.Nawab,
Work Inspector,
Buildings (C And M)
Wing Sub -Division,
Assistant Executive Engineer Office
PWD,
Poonamallee, Chennai-056.

..Appellant(s)

Vs

1. The Principal Secretary
Public works Department,
Fort St.George,
Chennai 600 009.
2. The Chief Engineer PWD
Chennai Zone
Chepauk,
Chennai 5
3. The Executive Engineer PWD
Building (C And M) Division,
Thiruvallur.
4. The Assistant Executive Engineer PWD
Building (C And M) Division,
Poonamallee, Chennai- 56.

..Respondent(s)

WA No. 1772 of 2026

To set aside the order dated 16-02-2026 made in WP.No.12952 of 2024 and allow the Writ petition as prayed for in WP.No.12952 of 2024.

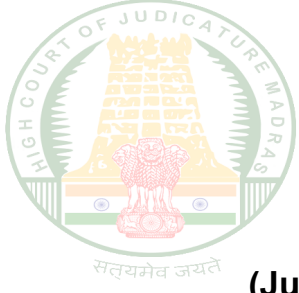
WA No. 1773 of 2026

To set aside the order dated 16-02-2026 made in WP.No.12949 of 2024 and allow the Writ petition as prayed for in WP.No.12952 of 2024.

WA No. 1772 of 2026

For Appellant(s): Mr.S.Senthilnathan

For Respondent(s): Dr.R.Gouri,
Government Counsel for R1 to R4

**Common Judgment****(Judgment of the Court was delivered by S.M.Subramaniam J.)**

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Under assail is the writ orders dated 16.02.2026 passed in W.P.Nos.12952 & 12949 of 20246 respectively.

2. The facts in brief to be considered are that the appellants are engaged as daily wage employees on 01.03.1993 and 02.01.1993 respectively. Admittedly, their service was regularised with effect from 01.07.2003 based on the policy decision of the Government to regularise the services of these daily wage employees on completion of their 10 years of service. The order of regularisation issued by the Government as well as by competent authority was accepted and the appellants are serving in the department. After a lapse of about 10 years, the appellants have made a representation on the ground that their names must be included under the Old Pension Scheme and the GPF account must be opened. The representation was rejected by the respondent on the ground that their services are regularised with effect from 01.07.2003 after the implementation of the New Pension Scheme i.e., Contributory Pension Scheme. Thus, the appellants are eligible to avail the benefits under the New Pension Scheme i.e., Contributory Pension Scheme. The writ Court also rejected the writ petitions.



3. Mr.S.Shanmuga Sundaram, learned counsel appearing on behalf of the appellant would mainly contend that the date of completion of 10 years is to be reckoned for the purpose of grant of regularisation and in such event, the appellants are entitled to avail the benefits under the Old Pension Scheme.

4. Such arguments is untenable in view of the fact that the order of regularisation of service of the appellants became final and admittedly, their service was regularised with effect from 01.07.2003. That apart, the completion of 10 years on daily wage service is the eligibility criteria prescribed in the Government Policy and mere eligibility would not confer any right to an employee to seek regularisation. Regularisation of service of daily wage employee by itself is a concession extended by the Government.

5. That being the factum, the relief as such sought for has been rightly rejected by the writ Court. Consequently, the Writ Appeals are dismissed. No costs.

(S.M.S.,J.) (N.S.,J.)
06-07-2026

Index: Yes/No
Speaking/Non-speaking order
Neutral Citation: Yes/No

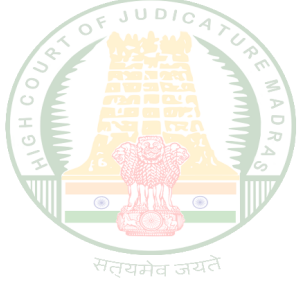
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To

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**S.M.SUBRAMANIAM J.
AND
N.SENTHILKUMAR J.**

VSI

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06-07-2026