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W.P.Nos.12949 and 12952 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 16.02.2026

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THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.Nos.12949 and 12952 of 2024

W.P.No.12949 of 2024

N.Noor Rahamed

... Petitioner

Vs.

1.The Principal Secretary,
Public Works Department,
Fort St.George, Chennai-600 009.

2.The Chief Engineer PWD,
Chennai Zone,
Chepauk, Chennai-600 005.

3.The Executive Engineer PWD,
Buildings (C & M) Division,
Thiruvallur.

4.The Assistant Executive Engineer PWD,
Buildings (C & M) Sub-Division,
Poonamalee, Chennai-600 056.

....Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Certiorarified Mandamus, to call for the production of the records relating to the order dated 28.11.2023 made in



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Letter No.N4/004381/2023 passed by the second respondent, quash the same and direct the respondents to fix 01.01.2003 as date of regularization of the petitioner as per G.O.(Ms).No.281, dated 11.11.2020, Public Works (C2) Department and grant all other consequential service benefits to the petitioner.

For Petitioner : Mr.S.Senthilnathan

For Respondents : Mr.P.Ganesan
Additional Government Pleader

W.P.No.12952 of 2024

R.Pushparaj

... Petitioner

Vs.

1.The Principal Secretary,
Public Works Department,
Fort St.George, Chennai-600 009.

2.The Chief Engineer PWD,
Chennai Zone,
Chepauk, Chennai-600 005.

3.The Executive Engineer PWD,
South President Division,
Chepauk, Chennai-600 005.

4.The Assistant Executive Engineer PWD,
Saidapet Sub-Division,
Saidapet, Chennai-600 015.

....Respondents



W.P.Nos.12949 and 12952 of 2024

PRAYER : Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Certiorarified Mandamus, to call for the production of the records relating to the order dated 20.11.2023 made in Letter No.N4/001254/2023 passed by the second respondent, quash the same and direct the respondents to fix 28.02.2003 as date of regularization of the petitioner as per G.O.(Ms).No.281, dated 11.11.2020, Public Works (C2) Department and grant all other consequential service benefits to the petitioner.

For Petitioner : Mr.S.Senthilnathan

For Respondents : Mr.P.Ganesan
Additional Government Pleader

COMMON ORDER

The petitioners challenge the impugned orders dated 20.11.2023 and 28.11.2023, rejecting the request of the petitioners to fix 01.01.2003 and 28.02.2003 as date of regularization of the petitioners as per G.O.(Ms).No.281, Public Works (C2) Department, dated 11.11.2020, and grant all other consequential service benefits to the petitioners.



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2. The brief facts required for disposal of these cases are that the petitioners joined in the respondents Department on 02.01.1993 and 01.03.1993 respectively and they were subsequently regularized based on G.O.Ms.No.134, dated 07.05.2010, vide regularization orders dated 30.06.2010, wherein, it was mentioned that 01.07.2003 is the date of their completion of 10 years of service as daily wager and accordingly, their regularization date is fixed as 01.07.2003. However, their date of completion of 10 years of service as daily wagers is 01.01.2003 and 28.02.2003 and their services ought to have been regularized with effect from 01.01.2003 and 28.02.2003. However, the respondents have wrongly fixed 01.07.2003 as their date of regularization and passed orders accordingly. Therefore, they were denied the benefits of pension scheme and they were brought under Contributory Pension Scheme and therefore, the petitioners have made representations to the respondents to amend their date of regularization as 01.01.2003 and 28.02.2003 instead of 01.07.2003, however, the second respondent has passed the impugned orders dated 20.11.2023 and 28.11.2023 rejecting the request of the petitioners. Hence, the petitioners are before this Court.



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11.11.2020 will not apply to the petitioners, since they were already regularized vide G.O.ms.No.134 dated 07.05.2010.

5. Admittedly, the date of joining of the petitioners is 02.01.1993 and 01.03.1993 and they have completed 10 years of service as daily wager on 01.01.2003 and 28.02.2003. As per G.O.Ms.No.134 dated 07.05.2010, their services were regularized on 01.07.2003 vide regularization orders dated 30.06.2010. Only those persons who have completed 10 years of service before 31st December of every year will be considered for regularization in the month of January of every year. Likewise, those persons who have completed 10 years of service before July of every year shall be considered for regularization for July of every year. Accordingly, the date of regularization of the petitioners has been rightly fixed as 01.07.2003. When the services of the petitioners have already been regularized on 01.07.2003, the claim of the petitioners to claim regularization based on G.O.Ms.No.281, Public Works (C2) Department, dated 11.11.2020 cannot be countenanced. That is the reason why, the respondents have rightly rejected the request of the petitioners and this Court finds no merit warranting interference.



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6. Accordingly, these Writ Petitions are dismissed. There shall be no order as to costs.

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NCC: Yes / No
Index : Yes / No
Speaking Order : Yes / No
ssb



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To

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