



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 10TH DAY OF JULY, 2026

BEFORE

THE HON'BLE MR. JUSTICE SURAJ GOVINDARAJ

WRIT PETITION NO. 13534 OF 2026 (GM-RES)

BETWEEN:

1. SRI Y VENKATESHWARA PRASAD
S/O UMA MAHESHWARA RAO,
AGED ABOUT 60 YEARS
2. SMT YALAMANCHILI HYMA,
W/O VENKATESHWARA PRASAD,
AGED ABOUT 50 YEARS
3. MIS VENNELA,
D/O Y VENKATESHWARA PRASAD,
AGED ABOUT 26 YEARS

PETITIONERS 1 TO 3 ARE
RESIDENTS OF FLAT NO.201,
2ND FLOOR, ADITH BHAVAN APARTMENT,
3RD MAIN ROAD, K.R.PURAM,
BENGALURU-560049.

4. SRI B.G.VENKATARAMANA REDDY,
S/O A. GOVINDA REDDY,
AGED ABOUT 67 YEARS,
RETIRED JOINT DIRECTOR
OF CO-OPERATIVE SOCIETIES (AUDIT),
RESIDENT OF FLAT NO.401,
2ND FLOOR, ADITH BHAVAN APARTMENT,
3RD MAIN, VINAYAKA LAYOUT,





NC: 2026:KHC:35071
WP No. 13534 of 2026

T.C.PALYA, K.R.PURAM,
BENGALURU-560 049.

...PETITIONERS

(BY SRI. BALARAJ A. C., ADVOCATE)

AND:

1. THE STATE COMMISSIONER
PERSONS WITH DISABILITY,
NO.55, ABHAYA COMPLEX, 2ND FLOOR,
KARNATAKA SLUM CLEARANCE
BOARD BUILDING,
RESALDAR ROAD, SHESHADRIPURAM,
BENGALURU-560 020.
2. SRI SENDIL MURUGAN,
S/O K.G.MOHAN RAJ,
AGED ABOUT 42 YEARS,
RESIDENT OF FLAT NO.201,
2ND FLOOR,
ADITH BHAVAN APARTMENT,
3RD MAIN, K.R.PURAM,
BENGALURU-560 049.

...RESPONDENTS

(BY SRI. SHAMANT NAIK, AGA FOR R1;
SMT. AVANI CHOKSHI, ADVOCATE FOR C/R2,
(CP NO. 6498/2026))

THIS WP IS FILED UNDER ARTICLES 226 AND 227 OF
THE CONSTITUTION OF INDIA PRAYING TO QUASH THE
IMPUGNED ORDER PASSED BY THE R-1 IN PROCEEDINGS
BEARING NO. AN ANIVI-2.32/2024-25/1098 DTD. 19.02.2026
VIDE ANNEXURE-U IN SO FAR AS THE PETITIONERS HEREIN
ONLY.

THIS PETITION, COMING ON FOR ORDERS, THIS DAY,
ORDER WAS MADE THEREIN AS UNDER:



CORAM: HON'BLE MR. JUSTICE SURAJ GOVINDARAJ

ORAL ORDER

1. The petitioners are before this Court seeking for the following reliefs:

- i) issue a writ in the nature of certiorari to quash the impugned order passed by the 1st respondent in proceedings bearing No.An ANiVi-2:32/2024-25/1098 dated: 19-02-2026: Vide Annexure-U; In so far as the petitioners herein only.*
- ii) issue such other order or directions as deems fit in the circumstances of the case and allow the above criminal petition with costs, to meet the ends of justice and equity.*

2. Respondent No.2 who is a physically disabled person had filed a complaint with respondent No.1 making certain allegations against the petitioners. The same being taken up by respondent No.1. Though no adverse order has been passed, a warning has been issued to the petitioners. It is aggrieved by the same, the petitioners are before this Court.

3. The submission of Sri.A.C.Balaraj, learned counsel for the petitioners, is that respondent No. 2, having not made payment of the maintenance amounts, has



made various false allegations before respondent No.1 and has sought to interfere with the maintenance of the apartment complex. Even in the complaint which has been submitted by respondent No.2, there is no particular allegation made as regards any differential treatment or discrimination meted out to respondent No.2 on account of him being physically disabled. The allegations which have been made are not relatable to the Rights of Persons with Disabilities (RPwD) Act, 2016 and as such, respondent No.1 would not have exercised any jurisdiction under the said Act.

4. Learned counsel for respondent No.2 would, however, submit that respondent No.2 has been humiliated, and it is on that ground that respondent No.2 had filed an application before respondent No.1.
5. Heard Sri.Balaraj.A.C learned counsel for the petitioners, learned AGA for respondent No.1 and



Smt.Avani Chokshi learned counsel for respondent No.2. Perused the records.

6. A perusal of the complaint dated 30.07.2025, produced at Annexure-Q, filed by respondent No.2 before respondent No.1, indicates that the grievances raised therein pertain to the installation of CCTV cameras in the apartment complex, including one allegedly positioned near the entrance of the apartment occupied by respondent No.2. It is alleged that the placement of the said cameras infringes the privacy of respondent No.2. The complaint further alleges that respondent No.2 was verbally abused by being referred to as a "loafer", that the alleged arrears of maintenance payable by respondent No.2 were circulated in the apartment WhatsApp groups, and that notices regarding the outstanding maintenance dues were affixed at various places within the apartment complex, including near the car parking area. On the basis of the aforesaid allegations, respondent No.2



sought action against the petitioners under Section 82 of the Rights of Persons with Disabilities Act, 2016 ("the RPwD Act"), besides seeking directions for repositioning of the CCTV cameras.

7. Having carefully examined the complaint in its entirety, this Court is unable to find any allegation which, even prima facie, discloses a violation of any provision of the RPwD Act or the Rights of Persons with Disabilities Rules, 2017. The grievance essentially pertains to the location of CCTV cameras, the alleged use of an abusive expression, and the manner in which the apartment association or its office-bearers sought to recover outstanding maintenance charges by circulating information through WhatsApp groups and displaying notices within the apartment premises. These allegations, even if assumed to be true, do not by themselves constitute an infraction of any right or obligation created under the RPwD Act.



8. Significantly, the complaint does not allege that any of the aforesaid acts were committed because respondent No.2 is a person with disability, nor does it disclose that respondent No.2 was denied any statutory right, reasonable accommodation, accessibility measure, equal opportunity, protection or benefit guaranteed under the RPwD Act. The dispute, as pleaded, is essentially one arising out of interpersonal differences between residents of the same apartment complex concerning the management of the apartment association and recovery of maintenance charges. Such disputes are civil in nature and are not transformed into disputes under the RPwD Act merely because one of the parties happens to be a person with disability.
9. The RPwD Act is a welfare and beneficial legislation enacted with the avowed object of protecting, promoting and securing the rights, dignity and equal participation of persons with disabilities in all spheres



of life. The authorities constituted under the Act are entrusted with specific statutory functions to address grievances arising from the denial or infringement of rights recognised under the enactment. Their jurisdiction, therefore, is confined to matters having a nexus with the rights and protections conferred by the statute. It cannot be expanded to encompass every dispute in which a person with disability is a party, irrespective of whether the dispute bears any connection to the rights created under the Act.

10. In the considered opinion of this Court, the complaint in question does not disclose any cause of action falling within the statutory jurisdiction of respondent No.1. The attempt to invoke the machinery under the RPwD Act in respect of what is essentially a private dispute between apartment owners amounts to a misuse of the statutory mechanism. Such invocation, if routinely entertained, would unnecessarily divert the attention of the statutory authorities from genuine



grievances involving discrimination, denial of accessibility, failure to provide reasonable accommodation and other substantive rights guaranteed under the Act. Respondent No.1 would therefore be well advised to exercise greater scrutiny while entertaining complaints under the RPwD Act so as to ensure that the jurisdiction vested under the beneficial legislation is invoked only in cases that genuinely disclose an issue arising under the Act and the Rules framed thereunder.

11. This Court is also of the view that the disputes between the petitioners and respondent No.2, if any, are better resolved through the mechanisms available under the apartment bye-laws, the provisions of the Karnataka Apartment Ownership Act, other competent civil forums, or through amicable settlement. Persons residing in a common residential community are expected to maintain cordial relations and resolve day-to-day disputes in a spirit of mutual accommodation



and cooperation as also foster community living. Resort to statutory remedies enacted for a distinct legislative purpose ought not to be encouraged in matters which are wholly unconnected with the object and scheme of such enactments.

12. Since none of the allegations contained in the complaint disclose any violation of the provisions of the RPwD Act or the Rules framed thereunder, respondent No.1 lacked the jurisdiction to entertain the complaint or to issue the impugned warning to the petitioners. The impugned proceedings, therefore, cannot be sustained and are liable to be quashed.

13. In that view of the matter, this Court passes the following:

ORDER

- (i) Writ petition is ***allowed***.
- (ii) The impugned order passed by respondent No.1 in proceedings bearing No.An ANiVi-2:32/2024-



NC: 2026:KHC:35071
WP No. 13534 of 2026

25/1098 dated 19.02.2026 at Annexure-U, is
quashed.

Sd/-
(SURAJ GOVINDARAJ)
JUDGE

DS
CT:TSM
List No.: 1 Sl No.: 3