



Republic of the Philippines
Supreme Court
Manila

SECOND DIVISION

TRINIDAD GAMBOA-ROCES,
Complainant,

A.M. No. MTJ-16-1887
[Formerly OCA IPI
No. 15-2814-MTJ]

Present:

- versus -

CARPIO, J., Chairperson,
PERALTA,
MENDOZA, and
LEONEN, and
JARDELEZA,* JJ.

JUDGE RANHEL A. PEREZ,
Presiding Judge, Municipal
Circuit Trial Court, Enrique
Magalona-Manapla,
Negros Occidental,

Respondent.

Promulgated:

09 JAN 2017

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DECISION

MENDOZA, J.:

Before the Court is an administrative complaint filed by Trinidad Gamboa-Roces (*complainant*) charging Judge Ranhel A. Perez (*Judge Perez*), Presiding Judge, Municipal Circuit Trial Court, E.B. Magalona-Manapla, Negros Occidental (*MCTC*), with gross ignorance of the law for his failure to render judgment on the consolidated ejectment cases, docketed as Civil Case Nos. 451-M and 452-M, within the reglementary period as prescribed by law.

In her complaint, denominated as *Petition*,¹ dated November 17, 2015, complainant claimed that she was one of the plaintiffs in Civil Case Nos. 451-M and 452-M for unlawful detainer and damages. After the mediation proceedings and the Judicial Dispute Resolution proceedings failed in Civil

* Per Special Order No. 2416 dated January 4, 2017.

¹ *Rollo*, pp. 1-5.

Case No. 451-M, it was referred back to the MCTC for trial and was set for preliminary conference. As a new judge was soon to be assigned in the MCTC, the preliminary conference was reset to January 10, 2014, by Judge Evelyn D. Arsenio, the then acting Presiding Judge.

Complainant further stated that when Judge Perez was appointed and assumed office, her counsel filed two (2) separate motions for his inhibition in the two cases on the ground that she was previously involved in a legal confrontation with Judge Perez himself when he was representing his parents. Her motions, however, were denied in separate orders, dated March 7, 2014² and March 24, 2014,³ respectively. Thereafter, Civil Case Nos. 451-M and 452-M were consolidated in the Order,⁴ dated March 11, 2014. After the preliminary conference for the two cases was held, the parties were then required to file their respective position papers. Thereafter, Judge Perez issued the Order,⁵ dated November 21, 2014, submitting the cases for resolution.

Complainant prayed that Judge Perez be found guilty of gross ignorance of the law for his failure to timely render judgment in the said cases. She claimed that despite the lapse of more than ten (10) months, Judge Perez failed to decide the cases in violation of the 30-day reglementary period within which to decide an ejectment case.

In his *Comment*,⁶ Judge Perez admitted that Civil Case Nos. 451-M and 452-M were decided beyond the prescribed 30-day period and offered his deepest apologies, explaining that the delay was inadvertent and not intended to prejudice the plaintiffs. He explained that he was able to finish the final draft of his decision on December 1, 2014, but in his desire to have “a perfect decision,” he did not immediately forward the draft to his Clerk of Court as he would still polish it. He, however, got distracted with other issues and matters in the office.

According to Judge Perez, it was only while preparing the monthly report for December 2014 that he realized he had not given the printed draft of the decision in the two cases to the Clerk of Court. He explained that reproducing the printed draft would be expensive considering the number of defendants in the case. He also failed to give the soft copy to the Clerk of Court as there was no internet connection in his office at the time and his laptop and computer at home were being serviced for maintenance. Thinking that he had already decided the cases except that he had yet to reproduce and

² Id. at 46-47.

³ Id. at 48-49.

⁴ Id. at 50-51.

⁵ Id. at 59.

⁶ Id. at 66-71.

send out copies of the decision, he included the said cases as decided in the monthly report. Thereafter, it escaped his attention to follow up on the cases.

Judge Perez further explained that he later discovered in August 2015 that the decision was not attached to the records of the cases when he requested to see the records while looking for a template of a pre-trial order. The mailing logbook was also checked and it was revealed that no decision in the consolidated cases had been mailed since December 2014. As he could no longer locate the printed draft decision which he thought he might have kept in his drawer, where he usually placed the scratch papers, he drafted the decision again. As it turned out, reproducing the number of copies for the parties took longer than anticipated as they were using a dot matrix printer which was placed inside the courtroom, thus, the Decision,⁷ dated August 17, 2015, had not been received by complainant up until the complaint was filed on December 8, 2015.

In its Report,⁸ dated September 7, 2016, the Office of the Court Administrator (*OCA*) recommended that the complaint be re-docketed as a regular administrative matter and that “Judge Perez be found GUILTY of undue delay in rendering a decision or order and be ADMONISHED to be more mindful in the performance of his duties particularly in the prompt disposition of cases pending and/or submitted for decision/resolution before his court, with a STERN WARNING that a repetition of the same, or any similar infraction shall be dealt with severely.”⁹

The Court agrees with the recommendation of the *OCA* except as to the penalty.

Without a doubt, Judge Perez failed to decide Civil Case Nos. 451-M and 452-M within the reglementary period as prescribed by law. These cases were submitted for decision on November 21, 2014, but up to the time of the filing of this complaint on December 8, 2015, or more than a year therefrom, no decision had been rendered. Judge Perez acknowledged his lapses and presented several excuses to justify his delay. He apologized and asked for compassion and understanding, citing mainly his inexperience as a newly appointed judge as a reason therefor.

⁷ Id. at 73-100.

⁸ Id. at 101-104.

⁹ Id. at 104.

The Court's Ruling

Section 15, Article VIII of the 1987 Constitution requires the lower courts to decide or resolve cases or matters for decision or final resolution within three (3) months from date of submission. In complaints for forcible entry and unlawful detainer as in this case, Section 10 of the Rules on Summary Procedure specifically requires that the complaint be resolved within thirty (30) days from receipt of the last affidavits and position papers. Without any order of extension granted by this Court, failure to decide even a single case within the required period constitutes gross inefficiency.¹⁰

In the same vein, Sections 2 and 5 of Canon 6 of the New Code of Judicial Conduct enjoin the judges to devote their professional activity to judicial duties and to perform them, including the delivery of reserved decisions, efficiently, fairly, and with reasonable promptness. This obligation to render decision promptly is further emphasized in Administrative Circular No. 3-99 which reminds all judges to meticulously observe the periods prescribed by the Constitution for deciding cases because failure to comply with the prescribed period transgresses the parties' constitutional right to speedy disposition of their cases.¹¹

The Court has always reminded the judges to attend promptly to the business of the court and to decide cases within the required periods¹² for the honor and integrity of the Judiciary is measured not only by the fairness and correctness of the decisions rendered, but also by the efficiency with which disputes are resolved.¹³ Any delay in the disposition of cases erodes the public's faith and confidence in the Judiciary.¹⁴ Thus, judges should give full dedication to their primary and fundamental task of administering justice efficiently, in order to restore and maintain the people's confidence in the courts.¹⁵

In this case, the explanation given by Judge Perez was too flimsy. His being inexperienced as a newly appointed judge and his explanation that the delay was not intended to prejudice the plaintiffs are not persuasive because it is his duty to resolve the cases within the reglementary period as mandated by law and the rules. These excuses only show his lack of diligence in discharging administrative responsibilities and professional competence in

¹⁰ *Saceda v. Judge Gestopa, Jr.*, 423 Phil. 420, 424 (2001).

¹¹ *Cabares v. Judge Tandinco, Jr.*, 675 Phil. 453, 456 (2011).

¹² Canon 3, Rule 3.05 of the Code of Judicial Conduct.

¹³ *Office of the Court Administrator v. Judge Reyes*, 566 Phil. 325, 333 (2008), citing *Petallar v. Judge Pullos*, 464 Phil. 540 (2004).

¹⁴ *Guillas v. Judge Muñoz*, 416 Phil. 198, 204 (2001).

¹⁵ *Request of Judge Irma Zita V. Masamayor, RTC-Br 52, Talibon, Bohol for extension of time to decide Civil Case No. 0020 and Criminal Case No. 98-384*, 374 Phil. 556, 561 (1999).

court management. **A judge is expected to keep his own listing of cases and to note therein the status of each case so that they may be acted upon accordingly and without delay. He must adopt a system of record management and organize his docket in order to monitor the flow of cases for a prompt and effective dispatch of business.**¹⁶

Under Sections 9 and 11, Rule 140 of the Rules of Court, as amended by A.M. No. 01-8-10-SC,¹⁷ undue delay in rendering a decision is a less serious charge punishable by either (a) suspension from the service without salary and other benefits for not less than one month nor more than three months; or (b) a fine of more than ₱10,000.00 but not more than ₱20,000.00.

In the case of *Saceda v. Judge Gestopa, Jr.*,¹⁸ the respondent judge, after being found guilty of gross inefficiency, was fined in the amount of ₱10,000.00 for his failure to render judgment in a complaint for ejectment within the 30-day reglementary period as required by the Rules on Summary Procedure. Similarly, in the case of *Petallar v. Judge Pullos*,¹⁹ the Court found the respondent judge liable for undue delay in rendering a decision and was fined in the amount of ₱10,000.00.

Thus, following the mandate of the Rules of Court and jurisprudence, the Court imposes upon Judge Perez a fine in the amount of ₱10,000.00.

WHEREFORE, finding respondent Judge Ranel A. Perez, Municipal Circuit Trial Court, E.B. Magalona-Manapla, Negros Occidental, **GUILTY** of undue delay in rendering a decision, the Court hereby orders him to pay a **FINE** in the amount of **TEN THOUSAND PESOS** (₱10,000.00), with **STERN WARNING** that a repetition of the same or similar offense shall be dealt with more severely.

SO ORDERED.


JOSE CATRAL MENDOZA
Associate Justice

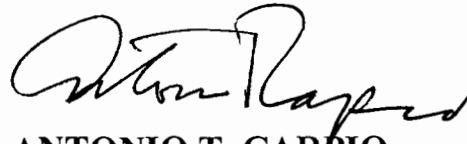
¹⁶ *Cabares v. Judge Tandinco, Jr.*, 675 Phil. 453, 457 (2011).

¹⁷ Promulgated on September 11, 2001 and took effect on October 1, 2001.

¹⁸ 423 Phil. 420 (2001).


¹⁹ 464 Phil. 540 (2004).

WE CONCUR:



ANTONIO T. CARPIO

Associate Justice
Chairperson



DIOSDADO M. PERALTA
Associate Justice



MARVIC M.V.F. LEONEN
Associate Justice



FRANCIS H. JARDELEZA
Associate Justice