

Title: Knights of Rizal v. DMCI Homes, Inc., et al.

Facts:

On September 1, 2011, DMCI Project Developers, Inc. (DMCI-PDI) purchased a lot in Ermita, Manila for a condominium project known as Torre de Manila. It obtained the necessary clearances and permits from the City of Manila, including a Barangay Clearance on April 2, 2012, a Zoning Permit on June 19, 2012, and a Building Permit on July 5, 2012. The City Council of Manila initially issued a resolution for the Building Permit's suspension, citing concern that the finished condominium would dwarf and ruin the sightline of the Rizal Monument from Roxas Boulevard. However, the City Legal Officer opined that the construction was legally justified, as it lay outside Luneta Park and would not be a "repulsive distraction" to the Rizal Monument.

Upon the National Historical Commission of the Philippines' (NHCP) confirmation that the project site was beyond Rizal Park's boundaries and the frontal view of the Rizal Monument could not be obstructed, construction proceeded. Following public opposition, represented by an online petition, the City Council reiterated the suspension of the Building Permit. Yet, DMCI-PDI eventually secured a resolution from the Manila Zoning Board of Adjustments and Appeals (MZBAA), recommending approval for variance, due to the project's excess in the prescribed Floor Area Ratio (FAR) and Percentage of Land Occupancy (PLO). The City Council later ratified all previously issued permits.

The Knights of Rizal (KOR), a civic, cultural organization created under Republic Act No. 646, filed a Petition for Injunction to obtain a temporary restraining order and permanent injunction against the Torre de Manila construction, asserting the transcendental importance of preserving the sightline of the Rizal Monument.

Issues:

The main legal issue presented for the Supreme Court's decision was whether a writ of mandamus could be issued against the officials of the City of Manila to stop the construction of DMCI-PDI's Torre de Manila project based on the following sub-issues:

1. Is there a specific law or ordinance that prohibits the construction of the Torre de Manila due to its effect on the background "view, vista, sightline, or setting" of the Rizal Monument?
2. Does the construction of Torre de Manila constitute a nuisance per se or per accidens?
3. Were the permits issued to DMCI-PDI for the construction of Torre de Manila legally granted?

Court's Decision:

The Supreme Court dismissed the petition for mandamus for lack of merit and lifted the temporary restraining order (TRO). The Court found no law or ordinance that specifically prohibits the construction of a building like Torre de Manila because it might affect the sightline of the Rizal Monument. The City of Manila did not commit grave abuse of discretion when it issued the required permits and licenses for the development, which were obtained after compliance with the standard procedures.

Doctrine:

A writ of mandamus can only be issued to compel the performance of an act when there is a clear legal duty imposed upon the office or the officer sought to be compelled to perform an act, and when the party seeking mandamus has a clear legal right to the performance of such act.

Historical Background:

The case emerged from the public controversy about the construction of a high-rise condominium that, when viewed from certain vantage points, appeared to mar the aesthetic and symbolic sightline of the Rizal Monument, one of the Philippines' most cherished historical landmarks dedicated to the national hero, Jose Rizal. The issue aroused a passionate debate on heritage preservation and urban development, highlighting the tension between economic interests and cultural sensitivities in a rapidly modernizing society.