

### Title:

Ministerio and Sadaya vs. Court of First Instance of Cebu et al.: A Case on Government Immunity from Suit and Right to Just Compensation

### Facts:

The case involves petitioners Angel Ministerio and Asuncion Sadaya, who sought just compensation for a property expropriated by the government in 1927 for the widening of Gorordo Avenue in Cebu City. Despite the property's use for public purposes, no compensation was provided to the owners. The petitioners filed a complaint against the Public Highway Commissioner and the Auditor General, asserting their rights under the Constitution. The case was dismissed by the Court of First Instance of Cebu on the grounds that the suit was essentially against the government, which had not given consent to be sued. This decision led to the elevation of the case to the Supreme Court of the Philippines.

### Issues:

1. Whether the principle of government immunity from suit applies when a property is taken for public use without just compensation.
2. Whether public officials can be sued in their official capacity for acts contrary to law and injurious to the rights of the plaintiff.
3. The determination of just compensation for the expropriated property.

### Court's Decision:

The Supreme Court reversed the lower court's decision, ruling that:

1. The doctrine of government immunity from suit cannot be used to perpetrate injustice against a citizen. When the government appropriates property for public use, it implicitly submits to the jurisdiction of the court for the determination of just compensation.
2. Public officials can be held accountable in their official capacity for actions that are contrary to law and injurious to the rights of citizens. Unauthorized acts by government officials are not acts of the State, and suing these officials for the protection of rights does not constitute a suit against the State.
3. The court is directed to proceed with determining the just compensation for the expropriated property, based on the property's value at the time of taking.

### Doctrine:

This case establishes the doctrine that the principle of government immunity from suit does not apply in cases where the government takes property for public use without just compensation. Furthermore, it reiterates that public officials can be sued in their official

capacity for unauthorized acts that violate the rights of citizens.

### Class Notes:

- Principle of Government Immunity from Suit: The government cannot be sued without its consent, except in cases where it violates constitutional rights such as the taking of property for public use without just compensation.
- Just Compensation: When the government expropriates property for public use, the owner is entitled to compensation based on the property's value at the time of taking.
- Suing Public Officials: Public officials can be held accountable in their official capacity for unauthorized acts injurious to the rights of citizens. Such lawsuits do not constitute a suit against the State itself.

### Historical Background:

This case reflects a significant aspect of Philippine jurisprudence concerning government accountability and the protection of property rights under the Philippine Constitution. The issue of just compensation for expropriated property has been a longstanding concern, addressing the balance between public good and individual rights.