

### ### Title

**\*\*Grino et al. vs. Commission on Elections and Iloilo Provincial Board of Canvassers\*\***

### ### Facts

In the heart of the case is the disqualification of Guimaras' voters from voting for provincial officials of Iloilo in the May 11, 1992 elections. The case was initiated by the Laban ng Demokratikong Pilipino (LDP) and other individual petitioners including Simplicio Griño, LDP's Iloilo Provincial Chairman and candidate for governor. Their contention was against the Commission on Elections (Comelec) act that barred the voters of Guimaras from participating in the election for Iloilo's governor, vice-governor, and Sangguniang Panlalawigan members due to the simultaneous plebiscite for Guimaras' conversion into a regular province as mandated by Section 462 of the 1991 Local Government Code (R.A. 7160). Despite prior inclusions in elections for Iloilo provincial officials, the Comelec's provision left Guimaras voters out for the mentioned positions in the ballots.

Following the conduct of the May 11 elections and plebiscite, the petitioners pursued a certiorari action under Rule 65 of the Rules of Court on May 13, 1992, challenging Comelec's decision and alleging a grave abuse of discretion. In response to the petition, the Supreme Court issued a temporary restraining order against the canvassing and proclamation of electoral results for Iloilo's provincial positions on May 14. Subsequent engagements included comments from public respondents, replies from petitioners, interventions from additional stakeholders asserting various interests, and motions including one to lift the previous restraining order and to admit an amended petition.

### ### Issues

1. Whether the Comelec committed grave abuse of discretion by disqualifying Guimaras voters from electing Iloilo's provincial officials due to the plebiscite.
2. Whether the conduct of the plebiscite and its consequent effect on voters' rights were in violation of the 1991 Local Government Code (R.A. 7160).

### ### Court's Decision

The Supreme Court dismissed the petition as moot and academic. It recognized the peculiar legal situation created by the plebiscite results, which saw a significant majority voting for Guimaras' conversion into a regular province. The ruling underscored the legal transition achieved through the plebiscite, rendering any contention about the disallowed voting for Iloilo's provincial posts irrelevant. The Court pointed out inadequacies in Section 462 of R.A. 7160 but concluded it would not undo the outcomes of the Comelec-conducted plebiscite.

Consequently, it upheld that there was no necessity for a special election concerning the disputed matter since Guimaras became an independent province, rendering the electoral contention moot.

### ### Doctrine

The ruling reaffirmed the doctrine that the results of a plebiscite as a political exercise could render disputes related to its consequences moot and academic. Furthermore, it highlighted the necessity of adherence to legislative stipulations concerning local government restructuring, underscoring the limitations and inherent powers of the Comelec in electoral and plebiscitary processes as structured by law.

### ### Class Notes

- **Local Government Code (R.A. 7160, Sec. 462):** Dictates the conversion of sub-provinces into regular provinces upon majority plebiscite approval.
- **Certiorari under Rule 65 of the Rules of Court:** Utilized to address acts done with grave abuse of discretion amounting to lack or excess of jurisdiction by any branch or instrumentality of the Government.
- **Doctrine of Mootness:** Legal disputes are deemed moot and academic if intervening events render the issues non-live or the parties without a legally cognizable interest in the outcome.

**Application:** In this case, the Supreme Court applied the Doctrine of Mootness, derived from the results of the plebiscite for Guimaras to contest the Comelec's decision to disallow voters from voting for certain provincial positions of Iloilo. It reiterates the Court's discretion in declining to decide cases where events have overtaken the issues presented.

### ### Historical Background

This case arises against the backdrop of the 1991 Local Government Code's implementation intending to provide broader autonomy to local government units, including the reclassification and creation of provinces. The situation reflected the evolving landscapes of local governance structures in the Philippines and augmented debates over the intersecting scopes of electoral and administrative law.