

### Title:

National Housing Authority vs. Honorable Pastor P. Reyes et al.

### Facts:

The case arose when the National Housing Authority (NHA), pursuant to Presidential Decree No. 757 aimed at expanding the Dasmariñas Resettlement Project, filed a complaint for the expropriation of a 25,000 square meter parcel of land owned by Quirino Austria in Cavite City. About a year later, the NHA moved for a writ of possession, which it obtained. Quirino Austria then moved to withdraw a deposit of P6,600.00 made by the NHA, based on the property's assessed value for taxation, as per Presidential Decree No. 42. The NHA opposed the motion, citing various presidential decrees that assert the compensation should not exceed the property's market value as stated by the owner or assessed by the government, whichever is lower.

Respondent Judge allowed Austria's motion for withdrawal, which NHA contested through a Motion for Reconsideration and cited Presidential Decree No. 1224, supporting its stance. The motion was denied, leading NHA to file this petition with the Supreme Court, which, recognizing the urgency of the issue, issued a temporary restraining order against Judge Reyes' decision and required a comment from respondents.

### Issues:

1. Whether the order of respondent Judge allowing Quirino Austria to withdraw beyond the declared value is contrary to the regulatory framework provided by the cited Presidential Decrees.
2. Whether the doctrine of presumption of constitutionality applies to executive and legislative acts particularly in determining just compensation in expropriation proceedings.

### Court's Decision:

The Supreme Court granted the writ of certiorari, nullified and set aside the order issued by Judge Reyes on July 13, 1978, and made the temporary restraining order issued by the Court permanent. The case was remanded to the lower court for action in line with the Supreme Court's ruling and applicable laws. The Court emphasized the application of explicit statutory provisions over judicial discretion in determining just compensation based on the lower of the owner's declared value or government assessment.

### Doctrine:

The Supreme Court highlighted the presumption of constitutionality of legislative or

executive acts, citing the need for courts to defer to the wisdom expressed by the legislature and executive unless a clear contravention of the Constitution is demonstrated. It reaffirmed that, in matters where the law speaks unequivocally, obedience is not optional, emphasizing the principles surrounding “just compensation” in expropriation cases as per the cited Presidential Decrees.

### Class Notes:

- **Presumption of Constitutionality**: Legislative and executive enactments are presumed constitutional, necessitating clear proof to the contrary for this presumption to be reversed.
- **Just Compensation in Expropriation**: Defined here as the lower between the owner’s declared market value or the government’s assessed value, as per Presidential Decrees No. 76, 464, 794, 1224, and 1259.
- **Role of Courts in Legislative Acts**: The judiciary’s role is not to question the wisdom, justice, or expediency of legislation but to ensure its conformity with the Constitution.
- **Writ of Certiorari**: A remedy granted when a lower court’s decision is made with grave abuse of discretion or contrary to law, as demonstrated in NHA’s petition against Judge Reyes.

### Historical Background:

The case contextualizes the efforts of the Philippine government, under the Marcos regime, to address the urban housing crisis through authoritative land expropriation measures for public utility. It reflects the period’s strong executive influence over legal processes and urban development plans, articulated through various Presidential Decrees aiming to streamline expropriation for state-led housing projects.