

Title: Social Justice Society (SJS), Vladimir Alarique T. Cabigao and Bonifacio S. Tumbokon vs. Hon. Jose L. Atienza, Jr., Chevron Philippines Inc. (formerly Caltex), Petron Corporation, Pilipinas Shell Petroleum Corporation, Department of Energy

Facts:

The case originated from a Petition for Mandamus filed by the Social Justice Society, Vladimir Alarique T. Cabigao, and Bonifacio S. Tumbokon under Rule 65 of the Rules of Court to compel Mayor Jose L. Atienza, Jr. of Manila to enforce City Ordinance No. 8027. This ordinance, passed by the Sangguniang Panlungsod on November 20, 2001, and effective since December 28, 2001, aimed to reclassify portions of land in Pandacan from industrial to commercial, directly affecting the so-called “Pandacan Terminals” operated by Chevron, Petron, and Shell. These companies, along with the Department of Energy (DOE), moved for intervention and reconsideration after the Supreme Court’s decision on March 7, 2007, upholding the ordinance. They filed motions separately, citing various legal and procedural grounds, which prompted the Supreme Court to re-examine the case, including the validity of the ordinance, the procedural posture of intervenors, and impacts relating to DOE’s authority.

Issues:

1. Whether the movants-intervenors (oil companies and DOE) should be allowed to intervene.
2. If Ordinance No. 8119 and the injunctive writs issued by lower courts were impediments to the enforcement of Ordinance No. 8027.
3. Whether the mandate of Ordinance No. 8027 violates DOE’s functions over energy resources.
4. The constitutionality and validity of Ordinance No. 8027 amid claims that it infracts upon national laws governing the energy sector and local government autonomy.

Court’s Decision:

The Supreme Court allowed the intervention of the oil companies and the DOE, acknowledging their legal interest and potential impact on public welfare. It ruled there were no legal impediments from Ordinance No. 8119 or the injunctive writs to enforcing Ordinance No. 8027. The Court found no encroachment upon the DOE’s powers, emphasizing the autonomy of local governments to enact ordinances for general welfare under the LGC and the Constitution’s guarantee of local autonomy. It established Ordinance No. 8027 was constitutionally and legally valid, not contravening any national law, including those related to energy resource management. The Court underscored that the right to life

and public safety takes precedence over property rights, supporting the ordinance's objective of safeguarding the residents of Manila from potential dangers posed by the depot's location in a densely populated area.

Doctrine:

The case reiterates the doctrine that local government units have the autonomy to enact ordinances for the general welfare of their jurisdictions, provided such ordinances do not violate the Constitution or national law. It underscores the principle that the presumption of validity favors ordinances and that interventions in legal proceedings must be timely and substantiated.

Class Notes:

1. Delegated Police Power: LGUs possess police powers delegated through the Local Government Code to regulate activities within their jurisdiction for public welfare.
2. Mandamus under Rule 65: Mandamus is a remedy to compel a public officer to perform a ministerial duty required by law.
3. Local Autonomy and National Laws: Local ordinances must not contradict existing national laws. However, specific and genuine local government initiatives for public welfare are upheld, given the constitutional guarantee of local autonomy.
4. Intervention as a Legal Remedy: Parties with a legal interest adversely affected by a court's decision can move to intervene, subject to the court's discretion and depending on the timeliness and relevancy of the issues they present.

Historical Background:

The case reflects the tension between national policies and local government autonomy in managing local issues, particularly relating to environmental safety and land use. The relocation of the Pandacan oil depots represents a significant regulatory intervention based on public safety concerns, against the backdrop of the Philippine government's efforts to deregulate and liberalize the energy sector. It highlights the critical role of LGUs in urban planning and their capacity to address community-specific risks and welfare, consistent with constitutional provisions and the Local Government Code.