

**\*\*Title:** Alejandro B. Ty and MVR Picture Tube, Inc., Petitioners vs. The Hon. Aurelio C. Trampe, et al., Respondents**\*\***

**\*\*Facts:\*\***

On January 6, 1994, the respondent Municipal Assessor of Pasig sent a notice of assessment for real properties owned by the petitioners in Pasig, Metro Manila. Dissatisfied, the petitioners sought reconsideration on March 18, 1994, which was not granted. This led to the filing of a Petition for Prohibition with prayer for a restraining order and/or writ of preliminary injunction on March 29, 1994, at the Regional Trial Court (RTC) of the National Capital Judicial Region, Branch 163 in Pasig, presided by respondent Judge, questioning the legality of the new tax assessments and seeking to enjoin the collection of real estate taxes based on these assessments.

The RTC, in a decision dated July 14, 1994, denied the petition for lack of merit, asserting the validity of the new tax assessments and refuting claims of unconstitutional increase. The petitioner's Motion for Reconsideration was subsequently dismissed on September 30, 1994.

Escalating the legal battle, the petitioners filed a Petition for Review directly before the Supreme Court (SC), challenging the RTC's decision and invoking questions purely of law, especially the alleged repeal of Presidential Decree No. 921 by Republic Act No. 7160 (Local Government Code of 1991) and the constitutionality of the tax assessments as overly oppressive and confiscatory.

**\*\*Issues:\*\***

1. Whether RA 7160 repealed PD 921;
2. Whether exhaustion of administrative remedies was necessary before seeking judicial relief;
3. Whether the new tax assessments are oppressive and confiscatory, hence unconstitutional.

**\*\*Court's Decision:\*\***

The SC decided in favor of the petitioners on the following grounds:

1. **\*\*Repeal of PD 921:\*\*** The SC concluded that PD 921 was not repealed by RA 7160. Contrary to the RTC's ruling, the SC found both laws could coexist, with PD 921 complementing the provisions of RA 7160 regarding the preparation of schedules of market values in the Metropolitan Manila area. Thus, the schedule prepared solely by the respondent Assessor was deemed illegal and void.

2. **Exhaustion of Administrative Remedies:** The SC ruled that the exhaustion of administrative remedies did not apply in this case as the parties had agreed that the issues were purely legal, not factual. Since the petition raised primarily legal questions regarding the authority of the assessor and treasurer, proceeding directly to court was deemed appropriate.

3. Given the resolution of the first two issues, the SC did not find it necessary to rule on the constitutionality of the assessments.

**Doctrine:**

- There is no implied repeal unless it is clearly established that two statutes are so irreconcilably inconsistent and repugnant that they cannot coexist.
- The Court will not entertain constitutional questions unless necessary to resolve the case at hand.

**Class Notes:**

- Repeals by implication are not favored and require a clear and manifest intention from the legislature.
- Administrative remedies need not be exhausted in cases where the legal questions are apparent and do not involve factual disputes.
- When laws do not expressly repeal a preceding law, efforts to interpret them as complementing each other are preferred over assuming repeal by implication.

**Historical Background:**

The case arose amidst the evolving legal landscape concerning local government autonomy and taxation in the Philippines, particularly the transition from the Marcos regime's centralized governing approach to the 1991 Local Government Code's decentralization policy. This context underscores the jurisprudential challenge of interpreting older statutes like PD 921 within the framework of newer, transformative laws like RA 7160.