

****Title:**** Commission on Elections v. Hon. Tomas B. Noynay, et al.

****Facts:****

The Commission on Elections (COMELEC) filed nine informations against Diosdada Amor, Esbel Chua, and Ruben Magluyoan for engaging in partisan political activities, violating Section 261(i) of the Omnibus Election Code. The cases were filed at the Regional Trial Court (RTC) of Allen, Northern Samar, Branch 23. Respondent Judge Tomas B. Noynay, of his own accord, ordered the cases sent to the Municipal Trial Court, arguing that based on Section 32 of B.P. Blg. 129 as amended by R.A. No. 7691, the RTC lacked jurisdiction since the penalty did not exceed six years of imprisonment. COMELEC challenged this order through motions for reconsideration, which were denied, prompting the filing of this special civil action for certiorari with mandamus.

****Issues:****

1. Does R.A. No. 7691 divest Regional Trial Courts of jurisdiction over election offenses punishable with imprisonment not exceeding six years?
2. Is the opening sentence of Section 32 of B.P. Blg. 129, as amended, applicable to the jurisdiction over election offenses?

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

The Supreme Court granted the petition, setting aside the challenged orders of the respondent judge. It ruled that election offenses fall within the exceptions in the opening sentence of Section 32 of B.P. Blg. 129, as amended by R.A. No. 7691, thus retaining the jurisdiction of RTCs over such offenses, irrespective of the penalty prescribed. The Court emphasized that jurisdiction is conferred by the Constitution or by law and R.A. No. 7691 did not repeal specialized laws conferring exclusive original jurisdiction to RTCs for certain offenses, including election offenses under Section 268 of the Omnibus Election Code.

****Doctrine:****

The Supreme Court reiterated the doctrine that specialized laws conferring exclusive original jurisdiction to RTCs over specific cases, such as election offenses, prevail over general jurisdictional statutes like R.A. No. 7691, which amended the Judiciary Reorganization Act of 1980 concerning the jurisdiction of lower courts.

****Class Notes:****

1. ****Election Offenses Jurisdiction:**** Under Section 268 of the Omnibus Election Code, RTCs have exclusive original jurisdiction over election offenses, aside from those related to

failure to register or vote.

2. ****Exception to General Jurisdiction based on Penalty:**** The opening sentence of Section 32 of B.P. Blg. 129, as amended by R.A. No. 7691, introduces an exception where RTCs retain jurisdiction over offenses, by specific laws, irrespective of the penalty involved.

3. ****Impact of R.A. No. 7691 on Special Laws:**** Amendatory laws like R.A. No. 7691 do not repeal or modify specialized laws granting exclusive original jurisdiction to RTCs for certain cases unless expressly stated.

****Historical Background:****

This case illustrates the interplay between general jurisdictional laws and specific statutory provisions granting jurisdiction. The enactment of R.A. No. 7691 aimed to expand the jurisdictional reach of lower courts for certain crimes. However, its broader application sparked debates on whether it also affected jurisdiction over specialized cases like election offenses. This decision reaffirms the principle that when laws specifically vest jurisdiction in certain courts for defined matters, such specificity takes precedence over general jurisdictional adjustments, ensuring that specialized knowledge and procedure remain pivotal in the adjudication of these cases.