

### Title: Ramon V. Mitra vs. Abelardo Subido, et al.

### Facts:

Ramon V. Mitra was appointed as Senior Technical Assistant in the Office of the Mayor of Manila by Mayor Antonio J. Villegas at an annual compensation of P8,400 effective July 1, 1962. This appointment was forwarded to the Civil Service Commission for approval and was approved with conditions, including a physical and medical examination and availability of funds.

However, Acting Commissioner of Civil Service Abelardo Subido, on January 11, 1963, deemed the approval of Mitra's appointment by Epi Rey Pangramuyen, Chief, Personnel Transactions Division, as ultra vires, thus terminating Mitra's services as of the receipt of this decision by the City Mayor. Mitra's subsequent non-receipt of his salary prompted a legal battle which saw a petition filed for mandamus with a preliminary mandatory injunction against Abelardo Subido, among others, on February 5, 1963.

The Court of First Instance of Manila, after trial, ruled in favor of Mitra on July 26, 1963, stating that his appointment was valid and that Subido had no authority to cancel it. This led to an appeal by Subido and the City Auditor to the Supreme Court.

### Issues:

1. Whether the approval of Mitra's appointment by Epi Rey Pangramuyen was valid.
2. Whether the termination of Mitra's services by Subido was lawful.
3. Whether Mitra ought to have first exhausted administrative remedies before seeking judicial intervention.
4. The applicability of the "certification requirement" of the Civil Service Law to Mitra's appointment.

### Court's Decision:

1. **\*\*On the Validity of Appointment\*\***: The Supreme Court affirmed the lower court's ruling that Mitra's appointment had the necessary approval of the Civil Service Commission and was complete, thereby rejecting Subido's contention that the appointment was ultra vires.
2. **\*\*On the Termination of Services\*\***: The Court held that Subido had acted beyond his authority in terminating Mitra's services and that the termination was null and void.
3. **\*\*On Exhaustion of Administrative Remedies\*\***: The Court determined that the principle of exhaustion of administrative remedies did not apply since Mitra's case involved a purely legal question and an act by Subido that was deemed illegal.

4. **\*\*On Certification Requirement\*\***: The Supreme Court noted that prior certification of eligibles was not required in this case as Mitra's appointment could be considered a reinstatement given his previous government positions.

### ### Doctrine:

The ruling reinforced that once an appointment is made and properly approved in the civil service, it is irrevocable and cannot be reconsidered or summarily terminated without due cause or process. This principle protects the security of tenure of civil servants. It also delineated the limits of the authority of the Civil Service Commission and its officials in terms of terminating appointments and clarified circumstances where the exhaustion of administrative remedies is not prerequisite to judicial intervention.

### ### Class Notes:

- **\*\*Civil Service Appointment Validity\*\***: An appointment is considered valid and complete upon the necessary approval by the Civil Service Commission.
- **\*\*Security of Tenure\*\***: Civil servants' appointments, once made and completed, cannot be summarily terminated without due process or just cause.
- **\*\*Authority of Civil Service Commission\*\***: The Commission has oversight on appointments but cannot arbitrarily terminate these without grounds.
- **\*\*Exhaustion of Administrative Remedies\*\***: Not required in cases where the questions involved are purely legal or where the actions challenged are patently illegal.

### ### Historical Background:

This case underscores the strictures of civil service regulations and protections in place for government employees in the Philippines during the 1960s, illustrating the legal boundaries of administrative authority over employment statuses. It highlights the balance between the administrative oversight intended to maintain the integrity and efficiency of the civil service and the legal safeguards protecting employees' rights.