

### Title:

Angchangco Jr. vs. The Honorable Ombudsman, et al.

### Facts:

Casiano A. Angchangco, Jr., a former Deputy Sheriff and later Sheriff IV in the Regional Trial Court of Agusan del Norte and Butuan City, was implicated in several legal disputes leading to his petition before the Supreme Court. The sequence of events began with the Department of Labor and Employment (DOLE), Region X, ordering Nasipit Integrated Arrastre and Stevedoring Services Inc. (NIASSI) to pay its workers P1,281,065.505 on August 24, 1989. Following the finality of this decision, a writ of execution was issued, and as the assigned sheriff, Angchangco executed the writ by garnishing NIASSI's daily collections. This action led to a complaint for prohibition and damages against him, filed by NIASSI's President, which was later dismissed for lack of jurisdiction.

Simultaneously, allegations of graft, estafa/malversation, and misconduct were filed against Angchangco at the Office of the Ombudsman. While a July 31, 1992 Memorandum from the Ombudsman recommended the dismissal of the complaint for lack of merit, additional complaints were lodged by several NIASSI workers, claiming illegal deductions from their pay. Although the administrative aspect was dismissed due to lack of interest from the complainants, the criminal complaints remained unresolved even upon Angchangco's retirement, impacting his clearance for retirement benefits.

Despite several omnibus motions for early resolution and a motion to dismiss grounded on the precedent set by *Tatad vs. Sandiganbayan*, no action was taken. This inactivity prompted Angchangco to file a petition for mandamus before the Supreme Court, seeking dismissal of the criminal cases and issuance of clearance for his retirement benefits.

### Issues:

1. Whether the inordinate delay of more than six years in resolving the criminal complaints against Angchangco violates his constitutional right to due process and a speedy disposition of cases.
2. Whether a writ of mandamus is the appropriate remedy for compelling the Ombudsman to act upon the complaints.

### Court's Decision:

The Supreme Court found the petition to be meritorious, highlighting the violation of Angchangco's constitutional rights to due process and a speedy disposition of cases due to

the prolonged inactivity by the Ombudsman. Citing the principle established in *Tatad vs. Sandiganbayan*, the Court reiterated that unjustifiable delays in investigations contravene these rights. Consequently, the Court granted the petition, dismissed the criminal cases, and directed the issuance of the necessary clearance for Angchangco.

### ### Doctrine:

The ruling underscored two pivotal doctrines:

1. The constitutional guarantee of due process and the right to a speedy disposition of cases, as interpreted in the context of prolonged and unjustifiable delays in preliminary investigations.
2. The applicability of a writ of mandamus to compel action from an official or entity when there is a clear duty to act, especially when inaction results in the violation of constitutional rights.

### ### Class Notes:

- **\*\*Inordinate Delay & Constitutional Rights\*\***: A delay exceeding reasonable bounds, particularly in the resolution of cases, infringes upon the constitutional rights to due process and speedy disposition. Angchangco's situation mirrors that in *Tatad vs. Sandiganbayan*, setting a precedent where delays of a few years in procedural stages are deemed unconstitutional.
- **\*\*Mandamus\*\***: This writ is applicable not only for commanding the performance of a ministerial duty but also, under exceptional circumstances, to prompt action in cases where discretion is exercised, especially when inaction causes injustice or violates constitutional rights.
- **\*\*Double Standard of Treatment\*\***: The Court rejected any form of double standard in the legal process, emphasizing equal treatment under the law regardless of the respondent's stature or the complexity of the accusations.

### ### Historical Background:

This case illustrates the challenges encountered in the bureaucratic legal machinery, particularly the timely resolution of cases filed within it. It underscores the Supreme Court's role in upholding constitutional rights against procedural inefficiencies and its readiness to intervene when necessary to prevent miscarriages of justice.