

**\*\*Title\*\*:** Jose D. Villena vs. The Secretary of the Interior

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

The case involves Jose D. Villena, the Mayor of Makati, Rizal, who petitioned against the Secretary of the Interior to halt an ongoing investigation against him for alleged bribery, extortion, malicious abuse of authority, and unauthorized practice of law. This request led to the original action of prohibition with a prayer for a preliminary injunction filed with the Supreme Court.

The investigation against Villena was initiated by the Division of Investigation of the Department of Justice upon the request of the Secretary of the Interior. Following the investigation's findings, on February 8, 1939, the Secretary recommended Villena's suspension to the President of the Philippines to prevent potential witness coercion, which the President verbally approved on the same day. Villena was formally suspended on February 9, 1939, and later informed through a letter detailing the charges against him and the scheduling of the investigation.

Villena contended in his petition that the Secretary of the Interior had no jurisdiction or authority to suspend him or conduct the investigation, arguing that such powers rested with other governmental agencies. He further claimed that the actions taken against him were arbitrary and contravened the provisions of the Constitution and the Administrative Code governing the suspension and punishment of elective municipal officials.

The Solicitor-General defended the Secretary of the Interior's actions, citing the Revised Administrative Code's provisions that empower the Secretary to investigate any person within his department's service and to take necessary measures including suspension during an investigation.

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

1. Does the Secretary of the Interior have the legal authority to initiate an investigation against the Mayor of Makati and appoint a special investigator for this purpose?
2. Can the Secretary of the Interior lawfully decree the suspension of the Mayor pending the investigation?

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

The Supreme Court held that the Secretary of the Interior has the authority to order an investigation of the charges against Villena and to appoint a special investigator for that purpose. Moreover, although the power to suspend a municipal mayor lies with the

provincial governor under the Administrative Code, this does not preclude the Secretary of the Interior from exercising a similar power, particularly given the implied approval or ratification of the suspension by the President of the Philippines. Additionally, the Court reasoned that the actions of a department head, when conducted in the regular course of business, are presumptively the acts of the Chief Executive unless disapproved or reprobated by the President.

**\*\*Doctrine\*\*:**

The doctrine of qualified political agency or the alter ego principle was established, indicating that actions taken by heads of executive departments, when performed within the regular course of their duties and not countermanded by the President, are presumptively the acts of the President.

**\*\*Class Notes\*\*:**

1. **\*\*Qualified Political Agency/Alter Ego Principle\*\***: This principle establishes that actions taken by executive department heads in the course of their official duties are presumed to be the acts of the President unless disapproved by the President.
2. **\*\*Administrative Investigation and Suspension Powers\*\***: Sections 79(C) and 2188 of the Revised Administrative Code empower the Secretary of the Interior and provincial governors, respectively, to investigate public officials under their jurisdiction and, under certain circumstances, to suspend those officials pending investigation.

**\*\*Historical Background\*\*:**

This case reflects the complexities of administrative law in the Philippines during the pre-war era and underscores the breadth of presidential powers as exercised through appointed officials. It illustrates the balance between the autonomy of local government officials and the supervisory powers of executive departments, especially in matters of public accountability and the conduct of officials.