

****Title:**** *Ong Chiu Kwan vs. Court of Appeals and The People of the Philippines* (Unjust Vexation Case)

****Facts:****

This case involves Ong Chiu Kwan (petitioner) who was charged and subsequently convicted of unjust vexation. The charge arose from an incident on April 24, 1990, where the petitioner ordered Wilfredo Infante to cut the electric wires, water pipes, and telephone lines of “Crazy Feet,” a business owned by Mildred Ong. The petitioner did so without a permit, claiming the utilities posed a disturbance as they crossed his property. This action led to the disruption of “Crazy Feet’s” business operations during peak hours.

After the trial, the Municipal Trial Court of Bacolod City on September 1, 1992, found Ong Chiu Kwan guilty, imposing a 20-day imprisonment and ordering the payment of moral and exemplary damages along with attorney’s fees to Mildred Ong. The Regional Trial Court subsequently affirmed this decision on December 8, 1992, without substantive commentary.

Ong Chiu Kwan appealed to the Court of Appeals, which dismissed the appeal on August 16, 1993, upholding the decisions of the lower courts. Unsatisfied, the petitioner advanced the case to the Supreme Court, challenging the decisions and highlighting procedural issues.

****Issues:****

1. Whether the decisions of the Regional Trial Court and the Court of Appeals failed to meet the constitutional requirement for a proper decision by merely adopting the Municipal Trial Court’s findings without independent justification.
2. Whether the petitioner’s act constitutes unjust vexation under the Revised Penal Code.
3. The propriety of the awards for moral and exemplary damages and attorney’s fees.

****Court’s Decision:****

The Supreme Court identified the Regional Trial Court’s decision as a nullity for not independently stating facts and law as the basis for its decision, citing constitutional and procedural requirements. Despite this, rather than remanding the case, the Court proceeded to review the evidence due to the case’s extended duration.

The Court found Ong Chiu Kwan liable for unjust vexation, affirming his actions unjustly annoyed or vexed the complainant. However, it reversed the lower courts’ decisions regarding the awards for damages and attorney’s fees. The Court found no basis for moral and exemplary damages or attorney’s fees, highlighting that moral damages require a proximate cause from the wrongful act, and exemplary damages necessitate the presence of

an aggravating circumstance.

****Doctrine:****

- A decision must clearly and distinctly state the facts and the law on which it is based, as mandated by the Constitution and the Rules of Criminal Procedure. A memorandum decision that merely refers to lower court findings without independent justification is considered a nullity.
- A person is liable for unjust vexation if their actions unjustly annoy or vex another, even if such actions don't result in physical harm or property damage.

****Class Notes:****

- Constitutional Requirement for Decisions: Every court decision must articulate the facts and the law on which it is based (Article VIII, Section 14, 1987 Constitution).
- Unjust Vexation: An act that unjustly annoys or vexes an individual is punishable under Article 287 par. 2 of the Revised Penal Code. The essence of the offense lies in the annoyance or vexation caused, not in the manner it is inflicted.
- Damages: For moral damages to be awarded, they must be the proximate result of the defendant's wrongful act or omission (Article 2217, Civil Code). Exemplary damages are justified only if the crime was committed with aggravating circumstances (Article 2230, Civil Code).

****Historical Background:****

This case underscores the judiciary's evolving standards for decision-writing and the reaffirmation of principles regarding damages awards in criminal cases. It illustrates the judiciary's commitment to ensuring that decisions comply with constitutional requirements for clarity and distinctness, reflecting an ongoing effort to enhance the quality and accountability of judicial decisions in the Philippines. Through this case, the Supreme Court stresses the importance of the constitutional mandate for courts to articulate their decisions clearly, thus upholding the principles of fairness and due process.