

Title: Amante P. Purisima vs. Hon. Angelino C. Salanga, et al.

Facts:

In the provincial board member election for Ilocos Sur on November 12, 1963, Amante Purisima and Gregorio Cordero were contenders. During the canvass by the provincial board of canvassers on November 25, Purisima identified 41 precinct returns with apparent alterations favoring Cordero, leading to a discrepancy of 5,042 votes. Despite requests to suspend the canvass for judicial recourse, the board proceeded, proclaiming Cordero the winner on November 28 based on a final tally.

Purisima appealed to the Commission on Elections (Comelec) on November 29 to annul the canvass and proclamation, which Comelec granted on November 30. Subsequently, Purisima sought a recount under Section 163 of the Revised Election Code in the Court of First Instance on December 10. After motions to dismiss by Cordero and the board of canvassers, the court dismissed the recount petition on December 27, a decision contested by Purisima through a reconsideration plea and an injunction request against a new canvass.

As Comelec geared to resume the canvass, Purisima petitioned the Supreme Court on January 17, 1964, for certiorari with preliminary injunction, challenging the lower court's dismissal and seeking to halt the canvass. The Supreme Court issued a preliminary injunction on January 22 after requiring responses from the respondents.

Issues:

1. The propriety of the Court of First Instance's dismissal of Purisima's petition for recount.
2. The assessment of sufficient discrepancy between the different copies of the election returns to warrant a recount.
3. The procedural correctness in the canvass despite acknowledged discrepancies affecting election results.

Court's Decision:

The Supreme Court set aside the dismissal of the recount petition, mandating the Court of First Instance to proceed with the recount. It acknowledged that discrepancies between the returns were adequately flagged and should have prompted a suspension of the canvass for verification and judicial review as per election law. The failure to do so, compounded by a premature proclamation, was deemed a grave abuse of discretion necessitating the Court's intervention. The Court further enjoined the Commission on Elections and the Provincial

Board of Canvassers from resuming the canvass or declaring a winner until the recount proceedings concluded.

Doctrine:

Patent erasures and alterations on the face of election returns, when capable of affecting election results, necessitate a suspension of the canvass and an immediate judicial inquiry to ascertain the true voter intent. Election laws should be interpreted in a way that effectuates, rather than frustrates, the expressed will of the electorate.

Class Notes:

- ****Election Law:**** The mechanism for contesting election results involves a judicial recount when discrepancies in the returns could influence the election outcome.
- ****Judicial Recounts:**** A recount petition can proceed based upon discrepancies between different authentic copies of election returns, even if initiated by a single candidate.
- ****Procedural Requirements:**** The presence of patent irregularities in election returns justifies the suspension of the canvass and necessitates judicial review to uphold electoral integrity.
- ****Statutory Interpretation:**** Election laws are to be construed to preserve and reflect the electorate's true intention.
- ****Grave Abuse of Discretion:**** Failure by electoral bodies to suspend a canvass amidst evident discrepancies constitutes a grave abuse of discretion remediable by judicial intervention.

Historical Background:

The backdrop of this case reflects the contentious political climate of the Philippines in the 1960s, marked by intense electoral disputes and challenges to democratic processes. It underscores the Supreme Court's role in adjudicating electoral controversies to ensure that election outcomes genuinely reflect the will of the people, thereby safeguarding democratic integrity.