

Title: Municipality of San Narciso, Quezon vs. Hon. Antonio V. Mendez, Sr., et al.

Facts:

The crux of this case revolves around the legal creation and recognition of the Municipality of San Andres, Quezon, which was originally part of the Municipality of San Narciso, Quezon. The sequence of events leading to the Supreme Court's involvement are as follows:

- On 20 August 1959, President Carlos P. Garcia issued Executive Order No. 353, based on Sections 68 and 2630 of the Revised Administrative Code, creating the municipal district of San Andres by segregating parts of San Narciso. This EO was in response to a resolution by the municipal council of San Narciso.
- Executive Order No. 174, issued by President Diosdado Macapagal on 05 October 1965, elevated San Andres to the status of a fifth-class municipality, recognizing its existence from 01 July 1963 pursuant to Section 2 of Republic Act No. 1515.
- On 05 June 1989, San Narciso filed a petition for quo warranto against San Andres' officials, seeking to nullify Executive Order No. 353 and to stop San Andres' officials from performing their duties, invoking the doctrine in *Pelaez v. Auditor General* that presidential acts creating municipalities were unconstitutional.

The Regional Trial Court (RTC) in Gumaca, Quezon, where the case was filed, deferred action on a motion to dismiss and denied judgment on the pleadings. San Andres later moved for dismissal again, citing the enactment of the Local Government Code of 1991 (Republic Act No. 7160), arguing its provisions legitimized existing municipalities, including those created by executive orders. The RTC dismissed the petition, seeing the case as moot and academic under the new law, a decision later affirmed upon San Narciso's motion for reconsideration. Consequently, San Narciso elevated the matter to the Supreme Court.

Issues:

1. Whether Executive Order No. 353, creating the Municipality of San Andres, is unconstitutional.
2. Whether the enactment of Republic Act No. 7160 (Local Government Code of 1991) validates the existence of the Municipality of San Andres.
3. Whether the petitioners (Municipality of San Narciso) are barred by laches from challenging the legality of Executive Order No. 353.
4. Whether the Municipal District of San Andres can be considered a de facto municipality.

Court's Decision:

1. **Unconstitutionality of Executive Order No. 353**: The Court considered the possibility that EO No. 353 could be null for being an unconstitutional delegation of legislative power. However, the Supreme Court did not make a decisive ruling on this issue directly due to the passage of time and subsequent actions recognizing San Andres as a municipality.
2. **Validation under Republic Act No. 7160**: The Court held that the Local Government Code of 1991 effectively legitimized San Andres' status. Section 442(d) of the Code was highlighted, validating municipalities existing at the time of its effectivity, including those organized through presidential issuances.
3. **Laches**: The Court found that the municipality of San Narciso's delay of almost 30 years from the creation of San Andres to challenge its legality constitutes laches, barring the action for being untimely.
4. **De facto Municipality**: The Court recognized the Municipality of San Andres as having attained de facto municipality status, considering its continuous operation and recognition by various governmental acts and laws post-creation, particularly noting its inclusion in the Ordinance appended to the 1987 Constitution and its reference in the Local Government Code of 1991.

Doctrine:

The case establishes the principle that municipalities created by executive orders, which later have been recognized and operational for a significant period, can achieve de facto status, thereby being legitimized under subsequent laws such as the Local Government Code of 1991.

Class Notes:

- **Laches**: The doctrine of laches applies to entities or individuals who delay asserting a right, thereby forfeiting it.
- **De facto Municipalities**: Entities that function in the capacity of a municipality without formal legal establishment but have been recognized and treated as such over time may be considered de facto municipalities, particularly when laws and governmental actions substantiate this status.
- **Curative Statutes**: Statutes that are enacted to correct past errors or oversights in

legislation and can validate actions or entities that were initially considered invalid.

Historical Background:

This case illustrates the complexities and legal challenges in the dynamic process of territorial and administrative reorganization within the Philippines. The issuance of executive orders for the creation of municipalities, although later deemed an unconstitutional usurpation of legislative powers, reflects the evolving nature of governance in the country. The eventual recognition and validation of such entities underscore the legal system's adaptability and the principle of legal continuity in governance amidst changes in laws and political administration.