

****Title:****

Monroy vs. Del Rosario, G.R. No. L-21574, May 1969

****Facts:****

On September 15, 1961, petitioner Roberto R. Monroy, the incumbent Mayor of Navotas, Rizal, filed his certificate of candidacy for the position of representative of the first district of Rizal. Three days later, on September 18, 1961, Monroy filed a letter withdrawing his certificate of candidacy, which the Commission on Elections approved. However, on September 21, 1961, Felipe del Rosario, the vice-mayor of Navotas, took his oath of office as Municipal Mayor, asserting that Monroy had forfeited his office by filing his certificate of candidacy.

Subsequently, Monroy sought an injunction from the Court of First Instance (CFI) of Rizal against Del Rosario to regain his position. The CFI ruled against Monroy, declaring that he had ceased to be mayor upon filing his candidacy declaration, validly making Del Rosario the new mayor from September 21, 1961, and ordering Monroy to compensate Del Rosario P1,000.00 as moral damages and reimburse the salaries Del Rosario was entitled to from September 21, 1961, until Monroy could reassume office. Monroy appealed to the Court of Appeals, which affirmed the lower court's decision except for deleting the award of moral damages.

Monroy then filed a petition for certiorari with the Supreme Court, claiming that the lower courts had no jurisdiction to review the Commission on Elections' resolution approving the withdrawal of his candidacy because it involved an administrative question related to elections.

****Issues:****

1. Whether the lower court and the Court of Appeals had jurisdiction to review the resolution of the Commission on Elections.
2. Whether Monroy's withdrawal of his certificate of candidacy restored him to his former position as Municipal Mayor.
3. Whether Monroy is liable for reimbursement of Del Rosario's salaries during his wrongful occupancy of the mayoral office.

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

1. **Jurisdiction of Lower Courts:**

The Supreme Court held that the lower courts had jurisdiction over the case because this did not involve an administrative question related to the conduct of elections but was a purely legal issue on the eligibility of Monroy to remain as Mayor after filing his certificate of candidacy.

2. **Automatic Forfeiture of Office:**

The Court affirmed that under Section 27 of the Revised Election Code, an elective official is deemed resigned from their current office upon filing a certificate of candidacy for another position. Consequently, Monroy's withdrawal of his candidacy did not negate the automatic and permanent effect of forfeiture.

3. **Reimbursement of Salaries:**

The Court ruled that Del Rosario, the de jure officer, is entitled to recover the salaries received by Monroy, who was a de facto officer during his wrongful tenure. A de facto officer, even if in good faith, assumes the risk of having to account for all compensation received if the position is contested by the rightful officeholder.

Doctrine:

The doctrine solidified here states that the resignation of an elective officer upon candidacy for another office is automatic and irrevocable at the moment of filing their certificate of candidacy. Additionally, de facto officers must reimburse salaries to de jure officers, reinforcing the principle that office continuity is independent of future contingencies.

Class Notes:

- **Sec. 27, Rev. Election Code:** Automatic resignation upon filing for another elective office.
- **De Facto Officer Principle:** Salaries received must be accounted for to the de jure officer if the tenure is contested.
- **Jurisdiction Over Administrative Questions:** Limited to Supreme Court, but purely legal queries on office eligibility fall within lower courts' purview.
- **Equitable Estoppel:** Withdrawal of candidacy does not negate the legal outcome of automatic resignation from current office.

Historical Background:

In the context of post-war elections in the Philippines, the decision emphasizes the rigid electoral rules of the early 1960s intended to maintain clear lines of succession and prevent

the manipulation of the electoral process. Given the political instability of the era, this case reasserts the finality of electoral declarations and the irreversible nature of election-related resignations, aiming to promote orderly and predictable governmental operations.