

### Title:

\*\*Tangonan vs. Hon. Judge Ernani Cruz Paño et al., G.R. No. L-47226, 221 Phil. 601 (1979)\*\*

### Facts:

1. **Admission on Probation:** Mely Tangonan was admitted on a probationary basis in May 1975 at Capitol Medical Center School of Nursing for the school year 1975-1976, conditional on providing a sealed "Honorable Dismissal" and a "Transcript of Records" valid for transfer. She submitted unsealed versions, promising immediate replacement with official records.
2. **Academic Difficulties:** Tangonan completed the first semester but failed Psychiatric Nursing in the second semester. She cross-enrolled for the subject at De Ocampo Memorial School during the Summer of 1976 but attempted to bribe Dean Florencia Pagador for her name to be included among enrolled students, which she acknowledged in a letter of apology.
3. **Re-enrollment Issues:** In June 1976, Tangonan applied for re-enrollment at Capitol Medical Center School of Nursing (CMCSN) but was asked to address issues pertinent to her academic records and the bribery charge. Her reluctance to submit the required explanations led the Board of Admission to declare her an undesirable student on June 25, 1976.
4. **Administrative Remedy:** Tangonan sought intervention from the Department of Education, where she agreed to transfer to another school during a mediation conference but later filed a petition for mandamus in the Court of First Instance of Rizal.
5. **Lower Court Proceedings:**
  - The lower court issued a preliminary mandatory injunction on July 27, 1977, leading to Tangonan's temporary admission.
  - Respondents filed defenses highlighting Tangonan's agreement to transfer and the school's right to refuse admission based on academic and behavioral grounds.
  - The court determined the issue was solely legal and required submission of memoranda and pertinent documents instead of formal hearings.
  - On October 22, 1976, the court dismissed the petition, lifting the preliminary injunction.

### Issues:

1. **Grave Abuse of Discretion:** Whether the trial judge exhibited grave abuse of

discretion by deciding without a formal hearing.

2. **Mandamus Applicability:** Whether mandamus is an appropriate remedy for a student refused re-enrollment due to alleged academic and behavioral deficiencies and exclusion from enrolling while others were allowed.

3. **Conformity with Law and Evidence:** Whether the lower court's decision aligns with applicable law and evidence presented.

### ### Court's Decision:

#### **Issue 1: Grave Abuse of Discretion**

- **Ruling:** The Supreme Court ruled no grave abuse of discretion occurred. Expedient resolution methods (submission of affidavits and memoranda) were appropriate for the nature of the mandamus petition, which primarily involved legal questions rather than factual ones. Petitioner participated in this expedited process without objection, thus is estopped from later challenging it.

#### **Issue 2: Mandamus Applicability**

- **Ruling:** Mandamus was deemed inappropriate. The duty to admit a student involves discretion, not merely a ministerial act. Petitioner's academic shortcomings, incomplete documentation, and behavioral issues (specifically the bribery attempt) fell under valid grounds for non-reenrollment. The school's authority to determine student fitness, especially in a sensitive profession like nursing, constituted the exercise of academic freedom under Article XV, Section 8, Paragraph 2 of the 1973 Constitution.

#### **Issue 3: Conformity with Law and Evidence**

- **Ruling:** The lower court's decision was consistent with prevailing legal standards and supported by substantial evidence. Tangonan's own acknowledgment of misconduct and academic deficiencies justified the school's decision. The school's refusal was aligned with Section 107 of the Manual Regulations for Private Schools, validating academic delinquency and disciplinary violations as grounds for re-enrollment denial.

### ### Doctrine:

The case reinforces the principle that mandamus cannot compel discretionary acts and emphasizes academic freedom for educational institutions, especially regarding admissions and maintaining standards for professional competencies.

### ### Class Notes:

1. **Mandamus Conditions:** Per Rule 65, Section 3 of the Rules of Court, the writ applies

to compel performance of a ministerial duty, not discretionary actions.

2. **Academic Freedom:** Schools possess the autonomy to establish admission standards and make discretionary decisions regarding student fitness without external coercion unless public welfare mandates otherwise.

3. **Section 107 of the Manual Regulations for Private Schools:** Academic delinquency and disciplinary violations justify non-reenrollment.

### Historical Background:

At the time of the decision, the Philippines was under Martial Law and a new constitution was in effect, emphasizing academic freedom (1973 Constitution, Article XV, Section 8).

Nursing's high demand internationally, particularly for Filipino professionals, underscored the importance of rigorous academic and behavioral standards in nursing education institutions.