

**\*\*Title: Rodolfo T. Ganzon vs. The Court of Appeals and Luis T. Santos\*\***

**\*\*Facts:\*\***

1. **\*\*Initial Complaints and Suspensions (1988-1990):\*\***

- In 1988, Rodolfo T. Ganzon, the Mayor of Iloilo City, faced ten administrative complaints for abuse of authority, oppression, and grave misconduct, among other charges.
- Secretary Luis T. Santos issued three preventive suspension orders against Ganzon: on August 11, 1988; October 11, 1988; and May 3, 1990. Each order was to last 60 days.

2. **\*\*Litigation at the Court of Appeals:\*\***

- Ganzon challenged these orders via two separate petitions for prohibition filed in the Court of Appeals (CA-G.R. SP Nos. 16417 and 20736). Both petitions were dismissed by the Court of Appeals on September 7, 1988, and July 5, 1990, respectively.
- Ganzon then filed petitions with the Supreme Court, docketed as G.R. Nos. 93252 and 95245, challenging the aforementioned dismissals.

3. **\*\*Supreme Court Intervention (1990-1991):\*\***

- On June 26, 1990, the Supreme Court issued a Temporary Restraining Order (TRO) to prevent the enforcement of the suspension orders.
- Despite this, on July 3, 1991, Santos issued another preventive suspension in connection with Administrative Case No. 51-90.
- Ganzon responded with an urgent motion questioning the validity of this fourth suspension order, leading to the Supreme Court requiring comments from the respondents.

4. **\*\*Main Decision and Further Proceedings (1991):\*\***

- On August 5, 1991, the Supreme Court upheld the validity of Santos's suspension orders but required that suspensions for acts committed before August 11, 1988, be consolidated. In this decision, Ganzon couldn't serve successive suspensions for such earlier acts.
- Subsequent to this, Santos issued a memorandum on August 29, 1991, stating that the third suspension order from May 3, 1990, remained in force, prompting Ganzon to file another petition (CA-G.R. SP No. 25840) seeking a mandamus and a TRO, which the Court of Appeals granted.
- The Supreme Court then issued another TRO against the TRO from the Court of Appeals on September 5, 1991.

5. **\*\*Petitioner's and Respondents' Positions:\*\***

- Ganzon contended having fully served his suspensions, especially the fourth suspension

ending September 3, 1991, and argued for reinstatement.

- Santos argued that Ganzon needed to serve additional days to complete his suspensions, proposing that Ganzon return to office only after October 19, 1991.

**\*\*Issues:\*\***

1. **\*\*Validity of the Successive Preventive Suspensions:\*\***

- Whether it was lawful for Secretary Santos to impose multiple successive preventive suspension orders against Ganzon.

2. **\*\*Service of Simultaneous Suspension Orders:\*\***

- Whether Ganzon could serve overlapping periods of preventive suspension simultaneously for the third and fourth orders.

3. **\*\*Compliance with Court Orders:\*\***

- Determining if Ganzon had fully complied with the Supreme Court's directive to serve the suspension periods.

4. **\*\*Mootness of the Pending Litigation:\*\***

- Whether ongoing cases in the Court of Appeals and the Regional Trial Court regarding Ganzon's suspensions were rendered moot by the Supreme Court's main decision and subsequent developments.

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

1. **\*\*On the Validity of Successive Suspensions:\*\***

- The Supreme Court affirmed Secretary Santos's authority to issue preventive suspensions but criticized the piecemeal approach, ordering the suspension orders to be consolidated.

2. **\*\*Simultaneous Service of Suspension Orders:\*\***

- The Court allowed Ganzon to serve the existing suspensions (third and fourth) simultaneously, reasoning that this interpretation favored the petitioner and mitigated the negative impacts of the successive orders.

3. **\*\*Compliance with Suspension Periods:\*\***

- The Court recognized that Ganzon had served portions of his suspensions and allowed the remaining days to be calculated, thereby confirming that he had indeed complied with the necessary suspension periods by September 20, 1991.

4. **Mootness of Further Litigation:**

- With the serving periods concluded, the Court ruled that remaining injunctions and cases (Special Civil Action No. 18312 and CA-G.R. SP No. 25840) were moot and ordered their dismissal.

**Doctrine:**

- **Consolidation of Administrative Cases:**

- Administrative charges should be consolidated to avoid repeated, piecemeal suspension orders. Successive preventive suspensions for acts committed prior to a specific date should not be allowed if it results in undue hardship to the respondent.

- **Simultaneous Service:**

- Where successive suspension orders overlap, simultaneous service may be permitted to reduce the burden on the respondent.

**Class Notes:**

- **Preventive Suspension:**

- Definition and limits as per the Local Government Code. Single suspension not to exceed 60 days; multiple suspensions should not exceed 90 days within one year.

- **Simultaneous Suspension Service:**

- See Ganzon case, which allowed overlapping suspensions to be served at the same time for the sake of fairness.

- **Administrative Proceeding Fairness:**

- Importance of consolidation in administrative cases and equitable resolution principles when multiple suspensions are involved.

**Historical Background:**

- **Local Government Code (1991):**

- The case also references the Local Government Code of 1991, which was effective on January 1, 1992. This code provided that elected officials could not be preventively suspended for more than 90 days within a year for charges known at the first suspension.

This case reflects a significant use of judicial discretion to balance administrative authority with fairness towards public officials facing multiple administrative complaints.