

Title: Ismael A. Mathay, Jr. vs. Civil Service Commission

Facts:

- Creation of Position:** On 26 November 1992, the Quezon City Council enacted City Ordinance No. SP-33, S. 92, creating an Electrical Division under the Engineering Department, including an Electrical Engineer V position.
- Candidates:** Olegario S. Tabernilla and Jose I. Enriquez, both licensed professional electrical engineers and current employees within the governmental apparatus, vied for the new position.
- Preference and Appointment:** The Personnel Selection Board recommended Tabernilla, a Quezon City resident, and Mayor Ismael A. Mathay, Jr. issued a permanent appointment to Tabernilla on 22 August 1994, which was approved by the CSC Regional Field Office on 15 September 1994.
- Protest:** Enriquez contested the appointment, citing CSC MC No. 42, s. 1991, which requires a Bachelor's Degree in Engineering for Engineer V positions. Tabernilla's qualification as a graduate of Associate in Electrical Engineering was insufficient.
- CSC's Initial Action:** The CSC recalled and revoked Tabernilla's appointment on 10 January 1995, indicating noncompliance with the educational requirement.
- Motion for Reconsideration:** Mathay contested the revocation, arguing the local ordinance specified a Professional Electrical Engineer requirement, which Tabernilla met. The CSC denied the motion on 9 March 1995, reaffirming their qualification standards authority.
- Subsequent "Petitions" and Denials:** Both Tabernilla and Mathay filed further motions and petitions for review and reconsideration with the CSC, all of which were denied for being procedurally and substantively insufficient.
- Court of Appeals:** Mathay then sought relief through a certiorari petition at the Court of Appeals, which was denied on the grounds of being the wrong remedy and time-barred. Mathay's motion for reconsideration arguing jurisdiction errors was also denied.
- Supreme Court:** Mathay petitioned the Supreme Court to nullify CSC's resolutions and the Court of Appeals' decisions, contending improper jurisdiction and violation of due

process.

****Issues:****

1. ****Proper Remedy and Timeliness:**** Whether the Court of Appeals erred in dismissing Mathay's petition for certiorari as the wrong remedy and for being time-barred.
2. ****CSC's Jurisdiction and Authority:**** Whether the CSC had the jurisdiction to revoke an already approved appointment.
3. ****Due Process Violation:**** Whether the CSC violated due process in revoking Tabernilla's appointment without a formal hearing.

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

1. ****Proper Remedy and Timeliness:**** The Supreme Court upheld that the petition for certiorari was indeed filed beyond the allowable period, emphasizing the finality of the CSC's resolutions after Mathay failed to file a timely appeal.
2. ****CSC's Jurisdiction and Authority:**** The Court ruled the CSC had jurisdiction to recall an appointment that did not comply with prescribed qualifications, underscoring the CSC's mandate to enforce civil service laws and rules.
3. ****Due Process Violation:**** The Court found no due process violation since the revocation was an administrative action evaluating compliance with qualifications, not a disciplinary proceeding requiring a hearing.

****Doctrine:****

1. ****Finality of Administrative Resolutions:**** Administrative decisions become final and unappealable if not contested within the stipulated period.
2. ****CSC's Authority:**** The CSC holds authority to revoke previously approved appointments that violate civil service laws and qualifications.
3. ****Due Process in Administrative Reviews:**** The administrative review regarding qualifications does not necessitate a formal hearing as compliance with standards can be determined through documentation and records.

****Class Notes:****

- ****Administrative Review:**** CSC's power involves verifying appointments compliance with

civil service laws (EO 292, Sec. 12(11), Rule VI, Sec 20).

- **Procedural Timeliness:** Certiorari petitions must be filed within the set statutory period. Certiorari cannot replace the lost appeal remedy (Revised Administrative Circular No. 1-95).

Historical Background:

The case arose during the period when administrative reforms were being emphasized in the Philippines, ensuring public office appointments adhered to stringent qualification standards to promote meritocracy and professionalism within the civil service. The decision highlights the CSC's pivotal role in maintaining public service integrity against local legislative adjustments.