

### Dolot v. Paje, et al.

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

1. **\*\*Initial Allegations and Filing\*\***: On September 15, 2011, Maricris D. Dolot (Dolot) and other petitioners filed a complaint against multiple respondents including government officials and mining corporations, alleging illegal mining operations in Matnog, Sorsogon.
2. **\*\*Petition Details\*\***: Petitioners claimed that the mining operations by Antones Enterprises, Global Summit Mines Development Corporation, and TR Ore lacked proper permits, posed environmental risks, and that valid permits were unlawfully issued by local officials. They sought a writ of continuing mandamus, damages, and attorney's fees, along with a temporary environmental protection order (TEPO).
3. **\*\*RTC Dismissal\*\***: The Regional Trial Court (RTC) of Sorsogon, Branch 53, summarily dismissed the case on September 16, 2011, citing lack of jurisdiction.
4. **\*\*Motion for Reconsideration\*\***: Petitioners' motion for reconsideration was denied on October 18, 2011. The RTC added that there was no final court decree, the matter was prematurely filed without exhausting administrative remedies, and the petitioners failed to attach judicial affidavits.
5. **\*\*Appeal to Supreme Court\*\***: Petitioner Dolot appealed directly to the Supreme Court, raising questions of law.

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

1. **\*\*Jurisdiction\*\***: Whether the RTC-Branch 53 had jurisdiction over Civil Case No. 2011-8338.
2. **\*\*Grounds for Dismissal\*\***:
  - Final court decree.
  - Premature filing due to non-exhaustion of administrative remedies.
  - Failure to attach judicial affidavits and furnish a copy to the government agency.

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

1. **\*\*Jurisdiction\*\***: The Supreme Court ruled that the RTC erred in dismissing the case for lack of jurisdiction. Jurisdiction over special civil actions like mandamus is conferred by law (B.P. Blg. 129). The court clarified that admin orders and circulars pertain to venue, not jurisdiction.
2. **\*\*Venue Considerations\*\***: While the case was incorrectly filed in Sorsogon instead of Irosin (improper venue), dismissal was unwarranted as venue is less crucial in non-criminal cases. The Supreme Court ordered the transfer to the proper venue - RTC of Irosin.
3. **\*\*Final Court Decree\*\***: The Court clarified that a writ of continuing mandamus requires

no prior final judgment. The referenced final decree was misinterpreted and pertains to the continuing monitoring of a final judgment in such cases.

4. **Premature Filing**: The Court dismissed the necessity to approach the Panel of Arbitrators under R.A. 7942, emphasizing that the primary issues were environmental impacts and governmental inactions more suited to judicial determination.

5. **Judicial Affidavits and Notice**:

- The petition did not need judicial affidavits per the procedural rules.
- Failure to notify respondents could be remedied without dismissal.

**Doctrine**:

1. **Jurisdiction vs. Venue**: Jurisdiction is conferred by law, not by administrative guidelines; venue pertains to convenience.
2. **Writ of Continuing Mandamus**: It can be issued without a prior final court order, focusing on ongoing compliance with specific legal duties.
3. **Exhaustion of Administrative Remedies**: Judicial review is appropriate when issues transcend mere administrative disputes and involve significant legal interpretations.

**Class Notes**:

1. **Jurisdiction**:

- **Original Jurisdiction**: RTC under B.P. Blg. 129 for writs of certiorari, prohibition, mandamus.
- **Administrative vs. Judicial Determination**: Impact environmental issues require judicial rather than administrative expertise.

2. **Continuing Mandamus**:

- **Substance**: Helps compel performance of duties mandated by environmental laws.
- **Implementation**: Remains effective until complete fulfillment of a court's judgment.

**Historical Background**:

This case evolved post the establishment of environmental courts and comprehensive environmental procedural rules in the Philippines, setting a precedent on the application of continuing mandamus and enhancing judicial oversight of environmental laws enforcement. The case underscores the judiciary's role in striking a balance between procedural technicalities and substantive justice, particularly in environmental governance.