

Title: Republic of the Philippines v. Hon. Eutropio Migrino and Troadio Tecson

Facts:

1. In 1986, then PCGG Chairman Jovito R. Salonga issued an order creating the New Armed Forces of the Philippines Anti-Graft Board (“Board”) to investigate unexplained wealth and corrupt practices of AFP personnel, both retired and active.
2. The Board began investigating Retired Lt. Col. Troadio Tecson based on information suggesting he had acquired wealth beyond his lawful income. Tecson was asked to submit an explanation by October 31, 1987.
3. After several postponements requested by Tecson due to the unavailability of his bookkeeper, the Board proceeded with its investigation regardless.
4. On June 30, 1988, the Board recommended prosecuting Tecson for violations of Rep. Act No. 3019 (Anti-Graft and Corrupt Practices Act) and Rep. Act No. 1379 (Forfeiture of Unlawfully Acquired Property Act).
5. Tecson moved to dismiss, claiming the PCGG lacked jurisdiction, the action under Rep. Act No. 1379 had prescribed, E.O. 14 was inapplicable, and he was beyond the reach of Rep. Act No. 3019 due to his retirement.
6. The PCGG denied Tecson’s motion to dismiss, directing him to submit his counter-affidavit.
7. Tecson then filed a petition for prohibition and preliminary injunction with the RTC in Pasig City.
8. Respondent Judge Eutropio Migrino denied the petitioners’ motion to dismiss and granted Tecson’s application for a writ of preliminary injunction on June 26, 1989.
9. Petitioners filed a certiorari, prohibition, and mandamus petition with the Supreme Court seeking to annul the orders, enjoin the RTC from proceeding, and ultimately dismiss the case.

Issues:

1. Did the respondent judge act without or in excess of jurisdiction or with grave abuse of discretion in assuming jurisdiction and interfering with the orders and functions of the PCGG?
2. Did the respondent judge act without or in excess of jurisdiction or with grave abuse of discretion in issuing the order enjoining petitioners from investigating and prosecuting Tecson for violations of Rep. Act Nos. 3019 and 1379?

Court’s Decision:

1. **\*\*Assumption of Jurisdiction by RTC\*\***: The Supreme Court ruled that the respondent

judge gravely abused his discretion by assuming jurisdiction over the PCGG's orders. It affirmed that challenges against PCGG's acts must be brought to the Sandiganbayan, which has exclusive original jurisdiction.

2. **Issuance of Injunction**: The Supreme Court nullified the preliminary injunction issued by the respondent judge against the PCGG. The court concluded that the PCGG did not have the authority to investigate and prosecute Tecson independently under Rep. Act Nos. 3019 and 1379, as his alleged conduct did not fall under acts connected with former President Marcos, his family, or cronies.

#### Doctrine:

1. **Jurisdictional Limitation**: The PCGG's jurisdiction is limited to cases involving the recovery of ill-gotten wealth connected to the Marcoses, their relatives, and cronies. The PCGG cannot extend its powers beyond what is explicitly authorized by E.O. Nos. 1, 2, 14, and 14-A.
2. **Definition of "Subordinate" in E.O. Nos. 1 and 2**: The usage of the term "subordinate" applies specifically to individuals with close associations or relationships with the Marcoses, akin to immediate family members, relatives, and close associates.
3. **Exclusivity of Sandiganbayan's Jurisdiction**: The Sandiganbayan is the sole forum for questioning or challenging the PCGG's acts or orders.

#### Class Notes:

- **Republic Act No. 3019 (Anti-Graft and Corrupt Practices Act)**: Penalizes corrupt practices of public officials.
- **Republic Act No. 1379 (Forfeiture of Unlawfully Acquired Property Act)**: Provides procedures for the state to forfeit properties unlawfully acquired by public officers.
- **Executive Order Nos. 1, 2, 14, and 14-A**: Laws creating and empowering the PCGG to recover ill-gotten wealth amassed by the Marcoses and their associates.
- **Ejusdem Generis**: A statutory construction rule limiting general terms to things of the same kind as specifically mentioned.
- **1987 Constitution, Article XI, Section 15**: States that the right of the government to recover unlawfully acquired properties shall not be barred by prescription, laches, or estoppel.

#### Historical Background:

The case is set against the backdrop of efforts to recover wealth allegedly amassed by former President Ferdinand Marcos, his family, and associates. Established in 1986, the PCGG was a primary body tasked with recovering ill-gotten wealth following the ousting of

Marcos. During this period, various legal challenges arose against the extent and limits of the PCGG's powers, reflecting the broader theme of accountability and justice in post-Marcos Philippines.