

Title:

Madag Buisan, et al. vs. Commission on Audit and Department of Public Works and Highways (G.R. No. 217936)

Facts:

1. **1989:** The Department of Public Works and Highways (DPWH) undertook the construction of the Liguasan Cut-off Channel in Tunggol, Pagalungan, Maguindanao, to mitigate flooding issues.
2. **April 2001:** DPWH received various claims from landowners for damages allegedly caused to their properties, crops, and improvements by the premature project opening.
3. **2004:** The DPWH Regional Office No. XII and a Technical Working Group (TWG) recommended paying just compensation to claimants but noted difficulties in physically accounting for the actual damage due to the time elapsed.
4. **2006:** An ad hoc committee was created to assess the legality of the claims, which were later determined to be under COA's jurisdiction due to insufficient evidence.
5. **April 14, 2010:** Petitioners, represented by Mayor Bai Annie C. Montawal, filed a petition with COA for ₱122,051,850.00 in damages compensation.
6. **September 16, 2010:** Madag Buisan filed a Motion to Dismiss the petition. Concurrently, petitioners filed a separate petition, alleging Montawal was not authorized to represent them.
7. **DPWH's Answer:** DPWH argued that petitioners failed to establish ownership of the damaged properties and that their cause of action had prescribed.
8. **November 20, 2012:** The COA denied the money claims for lack of merit, citing laches and prescription under Article 1146 of the Civil Code.
9. **February 14, 2014:** Petitioners' motion for reconsideration was denied for lack of merit.

Issues:

1. **Whether COA gravely abused its discretion in finding that petitioners' claims were barred by laches and prescription.**
2. **Whether the Doctrine of Non-Suability of the State applies to the DPWH in this case.**

3. **Whether petitioners complied with the rules on certification against forum shopping.**

Court's Decision:

1. On Grave Abuse of Discretion and Laches:

The Supreme Court held that petitioners' claims were barred by laches. Despite petitioners asserting the cause of action arose in 1992, the evidence indicated that flooding and resultant crop damage started in 1989. By filing claims much later, the action had become stale, and the DPWH faced difficulties verifying the damages. The petitioners had unreasonably delayed asserting their rights, satisfying the elements of laches.

Article 1146 of the Civil Code: Actions on injury to the rights of the plaintiff or quasi-delict must be initiated within four years. The petitioners' delay of over 15 years barred their money claim.

2. On Non-Suability of the State:

DPWH, performing governmental functions, is protected under the Doctrine of Non-Suability of the State which bars suits for damages against it unless express consent is given. The construction aimed at flood mitigation was well within DPWH's powers and functions, and no evidence indicated that the State consented to be sued.

Constitutional Basis: Article XVI, Section 3 of the 1987 Constitution states that the State may not be sued without its consent.

3. On Certification Against Forum Shopping:

Petitioners' certification against forum shopping, signed by Mayor Montawal without a Special Power of Attorney or sufficient legal capacity, did not comply with procedural rules. Proper protocol dictates that either the petitioners or their counsel sign the certification, ensuring personal knowledge and avoiding multiplicity of suits.

Doctrine:

The case reaffirms the doctrines of:

- **Non-Suability of the State:** The state cannot be sued without its consent.
- **Laches and Prescription:** Claims must be timely filed to avoid being barred due to delay and the passage of time.
- **Compliance with Procedural Rules:** Proper certification against forum shopping is crucial to ensure authenticity and prevent duplicative litigation.

Class Notes:

- **Non-Suability Doctrine:** Article XVI, Section 3 of the 1987 Constitution.
- **Prescription for Filing Actions:** Article 1146 of the Civil Code.
- **Rules on Certification Against Forum Shopping:** Rule 64 and Rule 65 of the Rules of Court.

Historical Background:

This case arises against the backdrop of flood mitigation efforts in the Philippines, particularly in flood-prone areas such as Maguindanao. The government's projects often aim at large-scale infrastructure to address chronic natural calamities, sometimes leading to disputes over property damages. The case underscores the importance of procedural compliance and the State's immunity under Philippine law.