

Title: Nieves Tansioco Guerrero vs. Hon. Felix S. Ferrer, Municipal Judge

Facts:

- Background:** Nieves Tansioco Guerrero (petitioner) sought to file a complaint for concubinage against her husband with the Municipal Court of Bacolod City, presided over by Judge Felix S. Ferrer (respondent).
- Filing of Complaint:** Guerrero attempted to lodge her complaint for concubinage under Article 334 of the Revised Penal Code, accusing her husband of living with another woman.
- Judge's Refusal:** Respondent Judge Ferrer refused to receive the complaint and conduct a preliminary investigation, stating that he lacked jurisdiction over the offense as per procedural norms and outlined jurisdictional protocols.
- Petition for Mandamus:** Guerrero filed a petition for mandamus in the Court of First Instance of Negros Occidental, seeking to compel Judge Ferrer to accept her complaint and initiate the preliminary investigation.
- Dismissal by Lower Court:** The Court of First Instance dismissed Guerrero's petition, supporting the respondent judge's stance concerning his jurisdictional limitations.
- Appeal to Supreme Court:** Guerrero appealed the dismissal to the Supreme Court, arguing that Judge Ferrer's refusal constituted a neglect of duty and an improper denial of her right to seek redress through appropriate legal channels.

Issues:

- Jurisdiction:** Whether the Municipal Judge had proper jurisdiction to receive the complaint for concubinage and to conduct a preliminary examination of the charges against Guerrero's husband.
- Mandamus:** Whether the refusal of the Municipal Judge to accept the complaint and conduct the preliminary investigation warranted the granting of a writ of mandamus.

Court's Decision:

- Jurisdiction Analysis:** The Supreme Court examined the jurisdiction rules concerning preliminary investigations in concubinage cases. It verified that under prevailing laws,

specifically the Rules of Court, the Municipal Judge indeed lacked jurisdiction to entertain the complaint and conduct the corresponding investigation.

2. **Mandamus Consideration:** The Court ruled that mandamus could not be issued to compel an official act that was extrajudicial. Since Judge Ferrer acted within his jurisdictional authority and procedural confines by refusing the complaint, mandamus was inappropriate. There was no evident neglect of duty warranting such relief.

- **Ruling:** The Supreme Court affirmed the dismissal by the Court of First Instance, upholding that the respondent judge acted within legal parameters by declining to receive and investigate Guerrero's complaint.

Doctrine:

- **Jurisdictional Boundaries:** The case reaffirms the principle that judicial officers must adhere to jurisdictional limits delineated by procedural law. It emphasizes that jurisdiction is a prerequisite before any legal action can be initiated or adjudicated.

- **Mandamus Limitations:** The judiciary underscored the boundaries within which the writ of mandamus can operate, emphasizing that it cannot compel actions beyond official jurisdiction or coverage by pertinent statutes.

Class Notes:

- **Concubinage:** Defined under Article 334 of the Revised Penal Code. Essential elements include cohabitation and marital infidelity.

- **Mandamus:** A remedial writ compelling a public official to perform a duty mandated by law. Requires clear privity of legal duty and refusal to act.

- **Jurisdiction:** Legal authority granted to a court or judge to hear and decide a case. This case highlights the necessity for respect and adherence to jurisdictional prerequisites in judicial processes.

Historical Background:

The case provides an illustrative context to the judicial processes in the Philippines concerning specific interpersonal legalities such as concubinage. It reflects the evolving procedural constraints and the strict adherence to jurisdictional mandates prescribed under

the Filipino judicial system during the mid-20th century. This era focused heavily on proper judicial conduct and the effective administration of legal duties within well-defined jurisdictional limits.