

**\*\*Title:\*\***

Santiago D. Ortega, Jr. vs. Judge Rogelio Ll. Dacara

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

1. **\*\*Filing of Complaint (January 18, 2013):\*\*** Santiago D. Ortega, Jr., as president of Siramag Fishing Corporation (SFC), filed a case for damages with an application for the issuance of a Writ of Preliminary Mandatory Injunction against the Regional Director of the Bureau of Fisheries and Aquatic Resources, Regional Office V (BFAR RO-V), and the Chief of Fisheries Resource Management Division (BFAR RO-V), seeking the renewal of the Commercial Fishing Vessel/Gear License of their fishing vessel.
2. **\*\*Raffle and Assignment (RTC-Branch 37, Iriga City):\*\*** The case was raffled to RTC-Branch 37, presided over by Judge Rogelio Ll. Dacara.
3. **\*\*Hearing and Order (April 22, 2013):\*\*** After the hearing, Judge Dacara issued an order denying the application for the writ based on: (a) plaintiffs not showing a clear right to be protected; (b) prohibition under Presidential Decree No. 605 (PD 605) and A.M. No. 09-6-8-SC; and (c) lack of jurisdiction as the defendants are in Pili, Camarines Sur.
4. **\*\*Transfer of Case:\*\*** Upon complainant's motion, the case was transferred to RTC-Branch 35, an environmental court.
5. **\*\*Administrative Complaint (December 18, 2013):\*\*** Ortega filed an administrative complaint against Judge Dacara for gross ignorance of the law and gross inexcusable negligence.
6. **\*\*Judge Dacara's Comment (March 26, 2014):\*\*** Judge Dacara defended his ruling by citing relevant laws and judicial precedents and claimed good faith in his decisions.
7. **\*\*OCA Report and Recommendation (February 27, 2015):\*\*** The Office of the Court Administrator (OCA) found Judge Dacara liable for gross ignorance of the law and recommended a fine of P20,000.

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

1. **\*\*Issuance of Writ of Preliminary Mandatory Injunction:\*\*** Whether Judge Dacara was ignorant of the law by denying the issuance of the writ based on PD 605 and A.M. No. 09-6-8-SC.
2. **\*\*Jurisdiction:\*\*** Whether RTC-Branch 37 had jurisdiction over the case and the

defendants.

3. **Environmental Case Cognizance:** Whether Judge Dacara should have taken cognizance of the case despite it being an environmental issue.
4. **Administrative Liability:** Whether Judge Dacara should be held administratively liable for gross ignorance of the law and gross inexcusable negligence.

**Court's Decision:**

1. **Issuance of Writ of Preliminary Mandatory Injunction:** The Supreme Court upheld Judge Dacara's decision. PD 605 explicitly prohibits courts from issuing a preliminary mandatory injunction in cases involving licenses related to natural resource exploitation. The court found that Judge Dacara correctly interpreted this prohibition and also noted that the plaintiffs failed to show a clear and inestimable right to be protected.
2. **Jurisdiction:** The Court held that Judge Dacara erred in stating that RTC-Branch 37 lacked jurisdiction. Section 21 of BP 129 provides that RTCs can issue writs of injunction enforceable throughout their respective regions, including Pili, Camarines Sur which is part of the Fifth Judicial Region.
3. **Environmental Case Cognizance:** Judge Dacara could not be faulted for taking initial cognizance of the case since it was not clear from the complaint's title that it involved an environmental issue. The case was later properly transferred to an environmental court.
4. **Administrative Liability:** The Court found no evidence of malice or bad faith in Judge Dacara's actions. His decisions were based on a good faith interpretation of the law. Given his extensive service and lack of prior administrative cases, the Court dismissed the complaint for lack of merit.

**Doctrine:**

1. **Prohibition of Preliminary Injunctions (PD 605):** Courts are prohibited from issuing any form of injunctive relief in cases involving the issuance, revocation, or denial of licenses related to natural resource exploitation.  
- **Reference:** Presidential Decree No. 605, Section 1.
2. **Jurisdiction of RTCs on Injunctions (BP 129):** RTCs have the original jurisdiction to issue and enforce writs of injunctions throughout their respective judicial regions.  
- **Reference:** Batas Pambansa Blg. 129, Section 21.

**Class Notes:**

1. **Gross Ignorance of Law:** Liability attaches not merely from erroneous decisions but requires proof of malice, fraud, or deliberate intent to do injustice.

- **Cases Cited:** Rubin v. Judge Corpus-Cabochan, Atty. Amante-Descallar v. Judge Ramas.

2. **Environmental Cases:** Complaints involving environmental issues must explicitly state so to be assigned to designated environmental courts.

- **Regulation:** A.M. No. 09-6-8-SC, Section 3, Rule 2.

**Historical Background:**

The case reflects the implementation and enforcement of specific decrees, such as PD 605, and judicial administrative rules aimed at streamlining jurisdictional and environmental case handling. The judicial framework emphasizes specialized courts handling specific types of cases to enhance efficacy and correct, fair administration of justice.