

Title:

The Municipality of San Juan, Metro Manila vs. Court of Appeals, Laura Biglang-awa, Metropolitan Waterworks and Sewerage System (MWSS), and Kwok Cheung (G.R. No. 119353)

Facts:

****Contractual Relationships**:**

- The Metropolitan Waterworks and Sewerage System (MWSS) entered a contract with Kwok Cheung, operating as K.C. Waterworks System Construction (KC), for installing water service connections.
- The contract stipulated that KC would conduct excavations and lay water pipes, while MWSS would handle tapping the service pipe connections and mounting water meters.

****Job Order and Initial Excavation**:**

- On May 20, 1988, KC received a job order to conduct excavations at the corner of M. Paterno and Santolan Road, San Juan, Metro Manila.
- KC's workers excavated the site, refilled it the same day, and installed barricades; however, only 25% of the job was completed.

****Accident**:**

- On May 31, 1988, between 10 and 11 p.m., Priscilla Chan's car fell into the excavated hole due to flooding and resultant poor visibility, injuring Assistant City Prosecutor Laura Biglang-awa.
- Police officer Felix Ramos, upon investigation, noted an absence of barricades at the scene.

****Medical Condition**:**

- Biglang-awa suffered a fractured humerus and underwent medical treatment, resulting in sustained pain but no lasting deformity.

****Lawsuit**:**

- Biglang-awa filed a complaint for damages with the Regional Trial Court (RTC) of Pasig, including MWSS, the Municipality of San Juan, and San Juan municipal officials. KC was later added.
- The RTC declared MWSS and the Municipality of San Juan jointly and severally liable.
- Both parties appealed. The Court of Appeals affirmed but modified the damages awarded, including KC in the liability.

****Supreme Court Appeal**:**

- The Municipality of San Juan appealed to the Supreme Court, questioning its liability due to the national road status and other legal defenses.

Issues:

1. Whether the Municipality of San Juan is liable under Article 2189 of the Civil Code due to the defective condition of the road.
2. Whether Section 149 of the Local Government Code exempts the municipality from liability since Santolan Road is a national road.
3. The interpretation and applicability of Section 8, Ordinance No. 82-01 of the Metropolitan Manila Commission concerning liability for non-completion of works and failure to adopt safety measures.

Court's Decision:

* **Liability Under Article 2189**:

- The Supreme Court held that liability under Article 2189 arises from control or supervision over roads and public works, not merely ownership.

* **Interpretation of Section 149**:

- While the Municipality argued its obligation was limited to municipal roads, the Court observed Section 149 gives the municipality regulatory control over all excavations within its territory.

- "Regulate" extends the municipality's power to control or supervise all such activities, regardless of the road's classification (municipal or national).

* **Section 8, Ordinance No. 82-01**:

- The Court found no provision in the ordinance exempting municipalities from liability due to negligence, despite contractor obligations for third-party damages.

Doctrine:

1. **Control Over Public Roads**: Municipalities are liable for injuries due to defective public works within their control or supervision, under Article 2189 of the Civil Code.
2. **Regulatory Power**: Section 149 of the Local Government Code vests power in the municipalities to regulate and ensure safety for all public utility excavations within their territory, covering both municipal and national roads.

Class Notes:

- **Article 2189, Civil Code**: Establishes liability of provinces, cities, and municipalities for defects in public infrastructure under their control or supervision.

- **Local Government Code, Section 149**: Details municipal powers over regulation and safety of excavations.

- **Legal Interpretation**: "Control or supervision" extends beyond ownership; regulatory powers imply active management responsibilities over public safety concerns.

- **Case Interpretation for Municipal Liability**: Emphasizes continuous municipal duty to ensure road safety despite third-party engagement or national road classification.

Historical Background:

- **Context in Local Governance and Public Infrastructure**: Reflects ongoing responsibilities and overlapping jurisdictional issues between national and local authorities in ensuring public safety in infrastructure projects.

- **Impact of Judicial Decisions**: Reinforces accountability measures and clarifies the extent of municipal liability in urban management practices, emphasizing regulatory diligence.