

Title: *City Engineer of Baguio and Hon. Mauricio Domogan vs. Rolando Baniqued*

Facts:

Generoso Bonifacio, acting for Purificacion de Joya and others, filed a complaint seeking the demolition of Rolando Baniqued's house in Upper Quezon Hill, Baguio City, alleging that it was constructed illegally without permits. On May 19, 1999, then-Mayor of Baguio City, Mauricio Domogan, issued a Notice of Demolition against Rolando and Fidela Baniqued, stating their structures were illegal. Rolando Baniqued contested the notice by filing a complaint for prohibition with a TRO/injunction at the RTC, citing a lack of due process and arguing that demolition required a court order and prior relocation under RA 7279.

The RTC issued a TRO but later dismissed Baniqued's action for lack of cause, ruling that the mayor's functions were neither judicial nor quasi-judicial, and citing procedural failure due to non-exhaustion of administrative remedies. The RTC's decision was upheld on a Motion for Reconsideration. Baniqued appealed to the Court of Appeals (CA), which overturned the RTC decision, recognizing the mayor's quasi-judicial function and presence of cause of action, and remanded the case to RTC for further proceedings. Petitioners (City Engineer and Mayor) elevated the case to the Supreme Court.

Issues:

1. Did the CA err in ruling that the mayor's issuance of a Notice of Demolition constitutes a quasi-judicial function?
2. Was the action for prohibition filed by Baniqued proper?
3. Did the CA err in reversing the RTC's dismissal of Baniqued's complaint?

Court's Decision:

1. ****Quasi-Judicial Function of the Mayor:****

The Supreme Court agreed with the CA that the mayor's actions in determining the legality of Baniqued's structure and issuing the Notice of Demolition involved quasi-judicial functions, as property rights were implicated and the mayor's decision required notice and opportunity for a hearing.

2. ****Propriety of Prohibition:****

The Court ruled that Baniqued properly availed of prohibition under Rule 65 due to urgent need for judicial intervention to prevent irreparable harm from an impending illegal demolition. The Court acknowledged that exhaustion of administrative remedies was not applicable here due to the urgency and risk of immediate irreparable damage.

3. **Reversal of RTC's Decision:**

The CA was correct in reversing the RTC's decision. The RTC dismissed Baniqued's complaint prematurely and overlooked procedural due process violations. The Supreme Court emphasized that alleging a lack of or excess jurisdiction is not a strict requirement when the complaint's contents sufficiently imply such circumstances.

Doctrine:

1. **Quasi-Judicial Function:** The mayor's issuance of a demolition notice involves quasi-judicial functions requiring procedural due process.
2. **Prohibition as Remedy:** Prohibition is proper to prevent acts by officials acting beyond jurisdiction or with grave abuse of discretion, especially when urgent judicial intervention is needed.
3. **Administrative Remedy Exceptions:** The doctrine of exhaustion of administrative remedies is flexible and not ironclad; urgency and irreparable damage can warrant bypassing administrative steps.

Class Notes:

1. **Prohibition Writ** - Prevents a tribunal/person from acting beyond their jurisdiction.
2. **Quasi-Judicial Function** - Actions involving investigation, hearings, and resolution similar to judicial duties, even by executive officers.
3. **Due Process in Administrative Actions** - Essential before executive decisions, like demolitions, affecting property rights.
4. **Exceptions to Exhaustion of Remedies:** Urgency, irreparable harm, and lack of other adequate remedies.

Historical Background:

The case emanates from the Philippines' strict land use and building regulatory framework, emphasizing due process. Presidential Decree 1096 (National Building Code) and RA 7279 (Urban Development and Housing Act) provide procedural safeguards against arbitrary demolitions but require proper notice, hearing, and relocation for informal settlers, reflecting land administration principles aimed at balancing urban development with social justice.

The case underscores evolving jurisprudence on the scope of executive functions intertwined with judicial oversight, impacting local governance and citizens' property rights within urban settings.