

### **Title:** Civil Service Commission vs. Court of Appeals and Rimando A. Gannapao

### **Facts:**

**Step-by-Step Series of Events:**

1. **December 22, 1995:** Stockholders and board members of United Workers Transport Corp. (UWTC) filed a complaint for grave misconduct and moonlighting against SPO1 Rimando Gannapao before the Philippine National Police (PNP), Inspectorate Division.
2. **August 21, 1996:** Pursuant to NAPOLCOM Memorandum Circular No. 96-010, a summary hearing was conducted by the Office of Legal Service, PNP against Gannapao for moonlighting.
3. **November 26, 1997:** PNP Chief Recaredo A. Sarmiento II rendered a decision imposing a three-month suspension on Gannapao.
4. **February 6, 1998:** Gannapao filed an "Urgent Motion for Reconsideration," which was denied by PNP Director General Santiago L. Aliño on April 14, 1998.
5. **Post-April 14, 1998:** Gannapao appealed to the National Appellate Board (NAB) of the National Police Commission (NAPOLCOM), which dismissed the appeal on December 29, 1999.
6. **February 10, 2000:** Gannapao filed a petition for appeal with the Department of Interior and Local Government (DILG), which affirmed the suspension on July 18, 2000.
7. **Post-July 18, 2000:** Gannapao appealed to the Civil Service Commission (CSC), requesting the setting aside of the suspension and/or a hearing or reinvestigation due to lack of due process.
8. **April 3, 2002:** CSC dismissed Gannapao's appeal and modified the suspension to a dismissal from service.
9. **May 30, 2002:** Gannapao filed a petition for review with the Court of Appeals (CA), contesting the CSC's decision.
10. **January 8, 2003:** CSC filed a comment specifically stating that Gannapao was not entitled to a preliminary injunction.
11. **January 14, 2003:** CA granted Gannapao's motion for issuance of a writ of preliminary injunction, inhibiting the CSC from enforcing the decision.
12. **Post-July 29, 2003:** CSC's motion for reconsideration was denied by CA, leading them to file a Petition for Certiorari with the Supreme Court.

### **Issues:**

**Primary Legal Issue:**

- Whether the Court of Appeals committed grave abuse of discretion in granting the motion for issuance of a writ of preliminary injunction in favor of respondent Rimando Gannapao.

### **Court's Decision:**

**Analysis of the Court's Ruling:**

1. **Grave Abuse of Discretion:**

- The Supreme Court outlined that a writ of certiorari is for correcting errors in jurisdiction or grave abuse of discretion.
- It emphasized that the Administrative Code and CSC rules do not prevent courts from issuing restraining orders or preliminary injunctions pending appeal.
- The issuance of a preliminary injunction is authorized under Section 2 of Rule 58 of the Rules of Court.
- Section 82 of Rule VI of CSC Memorandum Circular 19-99 recognizes the authority of the CA and the Supreme Court to issue restraining orders or injunctions.

2. **Issuance of Preliminary Injunction Justified:**

- The CA's decision was within jurisdiction and lacked evidence of whimsical or capricious judgment.
- Section 3 of Rule 58 outlines the grounds for issuance, stressing the protection of rights and preventing serious damage.
- Despite the lack of detailed basis in the CA Order for the preliminary injunction, the Supreme Court found that Gannapao had an unmistakable right to his position and that a premature penalty would result in irreparable damage.
- The equity principle leans towards protecting the respondent's current employment and ensuring family livelihood pending final case resolution.

**Conclusion:**

- The Supreme Court upheld the CA's issuance of the writ of preliminary injunction.
- The petition by the CSC was denied, thereby validating the protective measure in favor of Gannapao.

### **Doctrine:**

- **Authority of Courts in Administrative Decisions:** The case reiterates that despite immediate executory status of administrative penalties, courts retain the power to issue injunctions to prevent irreparable harm pending appeals.
- **Grave Abuse of Discretion:** Considers capricious and whimsical exercise of judgment equivalent to lack of jurisdiction warranting corrective measures.

### **Class Notes:**

- **Key Principles:**
- **Certiorari and Grave Abuse of Discretion:** Exclusively corrects errors in jurisdiction.
- **Issuance of Preliminary Injunctions:** Must meet statutory requisites including protection of clear rights and preventing serious damage, as outlined in Rule 58 of the Rules of Court.
- **Administrative Law Precedents:** Courts can restrain execution of administrative rulings if procedural fairness or fundamental rights are in jeopardy.
  
- **Relevant Statutory Provisions:**
- **Section 2 & 3 of Rule 58, Rules of Court:** Grounds and authority for issuing preliminary injunctions.
- **Section 82 of Rule VI, CSC Memorandum Circular 19-99:** Authority of CA and Supreme Court on restraining orders.
- **Article II Section 18 & Article IX Section 2(3) Constitution:** Affirmation of labor as a primary force and protection of employees from undue suspension/removal.

**Application:**

This case underlines the importance for students to understand the balance between administrative sanction executory mandates and judicial oversight to prevent unjust administrative executions pending appeals.

**Historical Background:**

- **Context:** The case exemplifies the dynamics between administrative disciplinary actions within the civil service framework and the judiciary's role in safeguarding due process and equitable treatment. This period in the Philippines saw strengthening of regulatory frameworks and checks-and-balances in public office discipline procedures, ensuring a fair justice system.