

Title:

Buan v. Lopez, 229 Phil. 65 (1986)

Facts:

In August 1986, petitioners Rosalina Buan, Rodolfo Tolentino, Tomas Mercado, Cecilia Morales, and Liza Ocampo, along with other similarly situated Quiapo Church vendors, filed a special civil action for prohibition in the Supreme Court against Mayor Gemiliano C. Lopez, Jr. of Manila. They sought to prevent the Mayor from revoking their licenses or permits as street vendors and from forcibly demolishing their business stalls without due process. The petitioners were around 130 licensed vendors of religious articles, medicinal herbs, and other items around Quiapo Church. On May 30 (amended to May 3), 1986, they received written notice from the Mayor's office canceling their permits for reasons unknown to them, thereby depriving them of property without due process.

Previously, in July 1986, a similar group—Samahang Kapatiran sa Hanapbuhay ng Bagong Lipunan, Inc. (“Samahan”)—filed a special civil action for prohibition with preliminary injunction against the same Mayor in the Regional Trial Court (RTC) of Manila (Civil Case No. 86-36563). This group comprised around 300 vendors around the Quiapo Church, and the factual bases were essentially identical to the present petition before the Supreme Court.

Issues:

1. **Lis Pendens:** Whether the action should be abated due to the pendency of another identical action (Auter Action Pendant) in the Regional Trial Court.
2. **Forum Shopping:** Whether petitioners engaged in forum shopping by filing the same suit in different courts.
3. **Validity of Licenses:** Whether the petitioners have a subsisting right to ply their trade given that their licenses or permits had expired before the petition was filed.
4. **Mootness:** Whether the action for prohibition had become moot and academic due to the expiration of permits and demolition of business stalls.

Court's Decision:

The Supreme Court dismissed the petition and directed the RTC of Manila to dismiss Civil Case No. 86-36563, emphasizing multiple reasons:

1. **Lis Pendens:** The petition in the Supreme Court must be dismissed due to the existence of another pending action (Civil Case No. 86-36563) involving the same parties,

rights, and relief sought. The dismissal of the action under the doctrine of Lis Pendens prevents multiple suits on the same matter and avoids the waste of judicial resources.

2. **Forum Shopping:** The Court condemned the act of forum shopping where litigants, not satisfied with one forum's potential decision, seek a similar remedy in another court. This malpractice is proscribed because it degrades the administration of justice. The Court emphasized Section 17 of the Interim Rules and Guidelines and its prohibition against simultaneous petitions in different courts for the same cause, mandating punitive measures including the summary dismissal of both petitions involved in forum shopping.

3. **Validity of Licenses:** As per the Court's findings, all licenses or permits of the petitioners had expired prior to the date of filing the petition on August 5, 1986. Without valid and subsisting licenses, the petitioners had no legal basis to assert their right to continue operating their stalls. The Court dismissed the argument that the non-renewal of the licenses equated to an unlawful cancellation or revocation.

4. **Mootness:** The action for prohibition was rendered moot and academic because the business stalls had already been demolished and therefore there were no permits left to revoke or cancel. The resolution of the petition no longer had practical legal implications.

Doctrine:

- **Lis Pendens:** The doctrine necessitates dismissal of a new complaint when there is another pending action between the same parties for the same cause.
- **Forum Shopping:** It is a prohibited practice condemned by the courts, leading to summary dismissal of duplicative actions to maintain judicial efficiency and decorum.
- **Validity of Licenses:** Expiration of permits negates any standing to claim rights associated with said permits.
- **Mootness:** Cases rendered moot by subsequent events do not warrant judicial intervention as there remains no actionable issue.

Class Notes:

- **Key Elements of Forum Shopping:** Filing the same suit in multiple courts, seeking identical relief, and avoidance of procedural delays.
- **Substantive Due Process:** Involved when licenses or permits are revoked without valid reasons.
- **Mootness Doctrine:** Courts refrain from deciding cases where subsequent events render the issue irrelevant.

- **Lis Pendens:** Prevents concurrent litigation of the same issue in different courts.

Relevant Legal Provisions:

- **Section 17, Interim Rules and Guidelines:** Specifically proscribes forum shopping.
- **Rule 16, Section 1(c) Rules of Court:** Addresses the dismissal of actions on the ground of lis pendens.

Historical Background:

The case took place in the context of post-EDSA Revolution Philippines, a period marked by legal and political fluidity. Local governance and administrative actions, such as the revocation of vendor permits, often faced heightened scrutiny from a populace newly attentive to issues of due process and government overreach. The decision reflects the judiciary's stand against forum-shopping and emphasizes procedural due process intricacies during this politically transformative era.