

Title:

City of Iloilo vs. Judge Lolita Contreras-Besana, RTC Branch 32 and Elpidio Javellana (G.R. No. 166973)

Facts:

1. **Initial Expropriation Complaint (1981)**:

- On September 18, 1981, the City of Iloilo, represented by Mayor Jerry P. Treñas, filed a complaint for eminent domain to expropriate two parcels of land owned by Elpidio T. Javellana for a school site for La Paz High School.
- The subject properties were declared to have a tax value of P60.00 per sqm, totaling P43,560.

2. **Javellana's Response and Opposition (1981-1983)**:

- Javellana admitted ownership but contested the expropriation's public purpose since there was an existing school site.
- He claimed the market value of his property was no less than P220.00 per sqm.

3. **Issuance of Writ of Possession (1983)**:

- On May 11, 1982, the City petitioned for a writ of possession, citing its deposit of P40,000, 10% of the compensation.
- On May 17, 1983, the RTC granted the motion, issuing a writ of possession.
- The City took possession of the properties around mid-1985.

4. **Dormancy (1984-2000)**:

- The expropriation case remained dormant, with little action from either party.

5. **Discovery of Non-payment (2000)**:

- In April 2000, Javellana discovered the alleged P40,000 deposit was never made.
- Attempts for settlement and a negotiated sale failed.

6. **Complaint for Recovery (2003)**:

- Javellana filed for recovery of possession, rental, and damages in April 2003.

7. **RTC Orders (2003-2005)**:

- RTC nullified the previous writ and ordered a new valuation and deposit based on higher appraisal values from 2001 and later.

Issues:

1. **Finality of Expropriation Orders**:

- Whether the May 17, 1983 Order of expropriation was final and could be reconsidered.

2. **Determining Just Compensation**:

- Whether the just compensation should be determined based on the property's value at the time of the complaint filing (1981), the time of taking (mid-1985), or the time of the RTC's latest order (2004).

Court's Decision:

1. **Finality of Expropriation Orders**:

- The Court ruled that the May 17, 1983 Order granting the writ of possession and authorizing the City's possession of the subject properties was final. Javellana did not appeal; thus, the right to expropriate could no longer be questioned.
- The lower court erred in nullifying this final order in its subsequent orders.

2. **Determining Just Compensation**:

- The Supreme Court reiterated that just compensation should be based on the value at the time of the filing of the expropriation complaint, emphasizing that although the property was taken into possession mid-1985, legal precedents and provisions direct valuation at the time of the complaint's filing.
- The Court directed the RTC to determine compensation based on the September 18, 1981 property value with 6% legal interest per annum until full payment.

Doctrine:

- **Finality of Expropriation Orders**: Orders determining the lawful authority to expropriate and issuing writs of possession are final and cannot be reconsidered if unappealed.
- **Just Compensation**: Just compensation for eminent domain should be determined as of the filing date of the expropriation complaint.

Class Notes:

- **Eminent Domain**: The authority to expropriate involves two major phases—determination of the public purpose followed by just compensation calculation.
- **Finality of Orders**: An unappealed order granting a writ of possession becomes final.
- **Valuation for Just Compensation**: Legal statutes and precedent lean towards the date of filing the complaint for compensation calculation (Section 4, Rule 67 of the Rules of Court).

Historical Background:

- The case reflects the complexities and significance of proper expropriation proceedings, emphasizing the government's obligation to adhere to legal frameworks ensuring fair treatment and timely compensation to landowners. It highlights prolonged governmental failures impacting property rights and public administration integrity over decades.