

**\*\*Title: Ferrer vs. Roco - Preliminary Administrative Actions and Jurisdiction\*\***

**\*\*Facts:\*\***

1. **\*\*Initiating Applications and Regulatory Steps:\*\***

- Robert L. Obiedo, representing ARE Square Realty Development Corporation (later Peñafrancia Memorial Park Corporation), applied for Preliminary Approval for Locational Clearance (PALC) and Development Permit (DP) for a memorial park in Naga City.
- The Sangguniang Panglungsod of Naga City reviewed the documents, evaluated compliance, and approved the PALC (Resolution No. 2000-263) and DP application (Resolution No. 2000-354), conditionally endorsing it to the Housing and Land Use Regulatory Board (HLURB).
- Ordinance No. 2000-059 amended previous regulations concerning the operation, establishment, and maintenance of private memorial parks in Naga City, particularly focusing on minimum area requirements.

2. **\*\*Legal Challenge:\*\***

- Wenceslao D. San Andres et al., including petitioners Honesto V. Ferrer, Jr. and Romeo E. Espera, filed a Petition for Declaratory Relief and/or Injunction with a prayer for Temporary Restraining Order (TRO) questioning the aforementioned resolutions and ordinance.
- The petitioners argued the validity of the resolutions and ordinance under administrative law.

3. **\*\*RTC's Decision:\*\***

- The Regional Trial Court (RTC) of Naga City dismissed the petition, ruling that the filing was premature. It noted that the resolutions and ordinance merely paved the way for endorsement to HLURB, which retained primary jurisdiction.

4. **\*\*Appeal to the CA:\*\***

- The petitioners appealed to the Court of Appeals (CA), challenging the RTC decision, arguing that the trial court erred in holding that HLURB had jurisdiction and in not granting the TRO/writ of preliminary injunction.
- The CA affirmed the RTC's decision, maintaining the doctrine of primary administrative jurisdiction.

5. **\*\*Supreme Court Review:\*\***

- Ferrer and Espera, unsatisfied, elevated the case to the Supreme Court, asserting errors in the appellate court's decision, particularly on the ripeness of judicial review and

exceptions to the exhaustion of administrative remedies.

**\*\*Issues:\*\***

1. Was the petition for declaratory relief premature, lacking an issue ripe for adjudication?
2. Did the Court of Appeals err in applying the doctrine of primary administrative jurisdiction, precluding judicial intervention by the RTC?

**\*\*Court's Decision:\*\***

1. **\*\*Prematurity and Ripeness for Judicial Determination:\*\***

- The Supreme Court upheld that the petition was indeed premature. The resolutions and ordinance in question were part of preparatory actions endorsing the application to HLURB.
- The Supreme Court highlighted that declaratory relief is intended for mature, justiciable controversies, which were not present as HLURB had yet to make a final administrative decision.

2. **\*\*Doctrine of Primary Administrative Jurisdiction:\*\***

- The Court reiterated the doctrine, emphasizing that administrative bodies with specialized competence should initially resolve matters within their jurisdiction. This reduces premature judicial intervention and relies on the expertise of administrative agencies.

**\*\*Doctrine:\*\***

- The doctrine of primary administrative jurisdiction: Courts should refrain from resolving issues requiring specialized knowledge and experience of an administrative body until the latter has rendered a decision.
- Requirements for declaratory relief: The Supreme Court reiterated that this remedy is suitable only when there is an actual justiciable controversy or if such controversy is imminent (the "ripening seeds" of a dispute), and when administrative remedies have been exhausted or are inadequate.

**\*\*Class Notes:\*\***

- **\*\*Key Legal Principles:\*\***

- Exhaustion of administrative remedies: Before resorting to courts, parties must exhaust available administrative avenues.
- Ripeness for litigation: Courts avoid preemptive judgments on issues not yet finalized administratively.

- **\*\*Relevant Statutes/Provisions:\*\***

- Local Government Code: Governs the regulatory role of local government units (LGUs) in

land use and zoning.

- HLURB regulations: Oversees housing and land development, ensuring compliance with national standards.

**\*\*Historical Background:\*\***

- The case highlights the procedural nuances in urban development and administrative jurisdiction during a period of rapid urbanization in the Philippines. The adherence to these doctrines ensured a methodical approach to land use planning and dispute resolution, crucial for balancing development and regulatory oversight. It also underscores the judiciary's supportive role in upholding administrative protocols to streamline governance amidst increasing urban projects.