

Title: Florentina A. Guilatco v. City of Dagupan

Facts: On July 25, 1978, Florentina A. Guilatco, a court interpreter, suffered an accident while trying to board a motorized tricycle on the sidewalk at Perez Blvd., Dagupan City. She fell into a manhole partially covered by a concrete flower pot, sustaining severe injuries and a fractured leg that required hospitalization and surgery. Guilatco's injuries led to severe pain, prolonged use of crutches, and an inability to report for work from the date of the accident. Guilatco consequently filed a civil action to recover damages against the City of Dagupan (and City Engineer Alfredo G. Tangco) due to the city's negligence in maintaining the sidewalk.

The Regional Trial Court granted Guilatco damages amounting to over P200,000 due to the city's negligence in failing to maintain the sidewalk's safety. The specific awards included P15,924 in actual damages, P150,000 in moral damages, P50,000 in exemplary damages, P3,000 in attorney's fees, and litigation expenses. The court dismissed the claims against Engr. Tangco personally and any counterclaims. Dagupan City appealed to the Court of Appeals, which reversed the trial court's decision on the grounds that Guilatco failed to prove that the city had control or supervision over the national road where the accident occurred.

Guilatco appealed to the Supreme Court via certiorari, contending that Dagupan City had supervision over the road through its City Engineer.

Issues:

1. Whether the City of Dagupan has control or supervision over Perez Blvd., thereby rendering it liable under Article 2189 of the Civil Code for injuries caused by the defective condition of the road.
2. Whether the amount awarded as damages was proper considering the evidence presented.

Court's Decision: The Supreme Court reversed the appellate court's decision, reinstating the trial court's ruling with modifications to the damages awarded.

1. **\*\*Control or Supervision Over the National Road:\*\*** The Supreme Court confirmed that despite Perez Blvd. being a national road, Dagupan City's Charter grants the city engineer responsibilities over the maintenance and supervision of such roads. Since City Engineer Alfredo G. Tangco, acting as both City Engineer and Highway Engineer, admitted the city

had supervisory duties over public works, Dagupan City was responsible under Article 2189 of the Civil Code for the sidewalk's defective condition.

2. **Damages Awarded:** The Supreme Court upheld the liability of Dagupan City but adjusted the damages. The awarded actual damages were reduced from P10,000 to P8,054 to reflect actual expenses proven. Moral damages were substantially decreased from P150,000 to P20,000 because her injuries were not permanent, even though they caused significant distress and suffering. The exemplary damages were maintained at P10,000 to serve as a deterrent against negligence by public entities.

#### Doctrine:

Article 2189 of the Civil Code holds provinces, cities, and municipalities liable for injuries due to the defective conditions of roads "under their control or supervision." Liability doesn't require ownership of the road but rather control or supervision, making public entities accountable for ensuring safety.

#### Class Notes:

1. **Article 2189, Civil Code:** Liability applies if there's control or supervision over a defectively maintained public work, regardless of ownership.
2. **Damages:** Actual damages require proof of expenses; moral damages can be awarded based on non-pecuniary loss like distress, and exemplary damages are punitive to deter wrongful acts.
3. **Control Through Charter:** Municipal charters can impose civil liabilities on cities for public work supervision.

#### Historical Background:

This case highlights issues of municipal liability within Philippine civil law, particularly cities' responsibilities to maintain public infrastructures. It underscores that urban areas must be diligent in addressing infrastructure deficits to protect public safety, aligning with modernization efforts post-Marcos era aimed at improving urban governance and civic responsibility.