

Title:

****Loretta P. Dela Llana vs. Commission on Elections and Rizalino F. Pablo, Jr****

Facts:

On May 14, 2001, elections were held for Provincial Board Members in the First District of Zambales, which includes Subic, Castillejos, and San Marcelino. Loretta Dela Llana and Rizalino Pablo, Jr. were candidates. The Provincial Board of Canvassers proclaimed the winners on May 18, 2001, with petitioner Dela Llana being the third member, having obtained 14,117 votes. Respondent Pablo ranked fourth with 14,093 votes.

On May 25, 2001, Pablo filed an election protest with the COMELEC, contesting Dela Llana's election. He claimed that in Precinct No. 29-A-1, Castillejos, his votes were erroneously reduced from 42 to 4 in the Statement of Votes, resulting in a loss of 38 votes. Dela Llana answered, denying his allegations and counter-protested, alleging influence peddling by Pablo in San Marcelino.

During the hearing on July 16, 2001, the COMELEC First Division treated the petition as one for correction of manifest errors. Evidence showed that while the Election Return recorded 41 votes for Pablo in Precinct 29-A-1, the Statement of Votes showed only 4. A Resolution on September 5, 2001, directed the corrections and annulled Dela Llana's proclamation.

Dela Llana filed for reconsideration, arguing against the jurisdiction of the First Division and the conversion of the petition. The COMELEC En Banc affirmed the First Division's Resolution on February 19, 2002, causing Dela Llana to seek remedy from the Supreme Court.

Issues:

1. Whether the COMELEC erred in treating Pablo's election protest as a petition for the correction of manifest errors.
2. Whether the COMELEC was justified in suspending its own rules to address the petition.
3. Whether the COMELEC was correct in directing the Provincial Board of Canvassers to reconvene, canvass anew, and proclaim the winning candidate.

Court's Decision:

1. ****Correction of Manifest Errors****: The Court held that the COMELEC acted within its authority to determine the true nature of the petitions filed before it. The manifest error involved apparent mathematical mistakes in the Statement of Votes, warranting correction.

The First Division properly prioritized determining the true will of the electorate over procedural technicalities.

2. **Suspension of Rules**: The Court supported the COMELEC's discretion in suspending its rules to serve justice and ascertain the electorate's true will. Section 4, Rule 1 of the COMELEC Rules of Procedure aligns with the Constitution and allows such flexibility.

3. **Reconvening and Canvassing**: The directive for the Provincial Board of Canvassers to reconvene and correct the counts in the contested precincts was upheld. The Court found no grave abuse of discretion in the COMELEC's actions aiming for accurate election results.

Doctrine:

- **Correction of Manifest Errors**: The COMELEC has the power to rectify apparent procedural errors in electoral documents to ascertain the genuine will of the electorate.
- **Flexibility in Electoral Procedures**: Rules governing election procedures can be suspended or interpreted flexibly by the COMELEC to ensure justice and accurate election outcomes.

Class Notes:

- **Manifest Error**: A clear, evident error visible and obvious without deeper investigation.
- **Procedural Flexibility**: Legal procedures in election cases can be secondary to establishing the true choice of voters.
- **COMELEC Jurisdiction and Authority**: COMELEC holds broad authority to regulate elections, including the power to prescribe its rules of procedure for fair electoral processes.

Historical Background:

The case illustrates a critical balance between procedural formality and substantive justice in election law. Amid a highly charged political environment, errors in vote tabulation prompt serious reevaluation of how electoral will is determined and respected, emphasizing the importance of procedural integrity and flexibility in the judicial oversight of elections.