

****Case Title: Mejia vs. Balolong****

****Facts:****

1. On June 20, 1947, the Philippine government enacted Act No. 170, establishing the City of Dagupan from the existing territorial jurisdiction of the Municipality of Dagupan.
2. The law, effective upon approval, mandated that the Mayor of Dagupan be appointed by the President and city councilors elected during general elections as per the Election Code.
3. The first general elections after the law's enactment were held on November 11, 1947, where petitioners Mejia, Guadiz, Tandoc, and De Venecia were elected as councilors of Dagupan City.
4. Despite losing the election, the respondents (Balolong, Villamil, Quimosing, Zarate) were appointed by the President on December 30, 1947, as councilors, challenging the elected petitioners' positions.
5. This was possible because Executive Order No. 96, later replaced by Executive Order No. 115, fixed January 1, 1948, as the date for organizing Dagupan City's government.
6. The key debate centered around whether Dagupan City's existence and the President's appointment powers began on June 20, 1947, or upon the organization of its government on January 1, 1948.
7. Petitioners filed a quo warranto action to assert their elected positions against the President's appointees.
8. The trial court sustained the petitioners, leading the respondents to appeal to the Supreme Court.

****Issues:****

1. When did Dagupan City come into legal existence: upon Act No. 170's approval or upon the government's organization?
2. Did the President validly appoint city councilors between the election and the formal governmental organization?
3. Were the petitioners legally entitled to assume the positions of city councilors?

Court's Decision:

1. **Existence of Dagupan City:**

- The Supreme Court held that the City of Dagupan was created and legally recognized as a public corporation on June 20, 1947, upon Act No. 170's approval.

2. **Authority for Appointment:**

- The Court ruled that the President's authority to appoint councilors was valid only if the city government was organized before or pending the next general election. Since the statute took effect prior to the November 1947 election, elected officials must assume office post-election.

3. **Right to Office:**

- The Court declared the President's appointments post-election as void and unlawful. The petitioners, as legitimately elected councilors, were entitled to assume their roles on January 1, 1948, after organizing the city government.

Doctrine:

This case reiterates the legal principle that the creation of a civic entity starts with the enabling statute's effectivity, not the organization of its governing body. The election takes precedence post-creation unless a proper appointment is made before any general election.

Class Notes:

- **Legal Entity Creation:** A city or municipal body arises from statutory provision effectivity, even without immediate government functionality.
- **Election Code Supremacy:** Elective posts in newly established entities should be filled during the subsequent election cycle following what the Election Code stipulates.
- **Transitory Government Provisions:** Any appointments made under transitional provisions need adherence to timing as per legislation, otherwise becoming void.

Historical Background:

The case reflects post-WWII legal and political complexities in the Philippines, where new civic centers were being realigned amid establishing local governance frameworks. Historical urgency for developmental governance often conflicted with procedural statutory

provisions resulting in legal reevaluations like in this landmark decision.