

CIRCULAR NO. 13-93, March 05, 1993

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OFFICE OF THE COURT ADMINISTRATOR

TO:

JUDGES OF THE REGIONAL TRIAL COURTS, SHARI'A DISTRICT COURTS, METROPOLITAN TRIAL COURTS, MUNICIPAL TRIAL COURTS IN CITIES, MUNICIPAL TRIAL COURTS, MUNICIPAL CIRCUIT TRIAL COURTS AND SHARI'A CIRCUIT COURTS

SUBJECT

PROFESSIONAL DECREE NO. 1818

The Office of the Court Administrator has been continuously receiving reports and/or complaints against indiscriminate issuance of restraining orders and court injunctions against the National Power Corporation and other government public utility firm in gross violation of Sec. 1 of P.D. 1818.

For the information and guidance of all concerned, the Supreme Court in the case of "National Power Corporation vs. Hon. Abraham Vera", G. R. No. 83558, February 27, 1989, 170 SCRA 721, categorically ruled that the National Power Corporation is entitled to the protective mantle of the aforementioned decree for the higher interest of public service. Section 1 of P.D. 1818 provides:

"Section 1. No court in the Philippines shall have jurisdiction to issue any restraining order, preliminary injunction, or preliminary mandatory injunction in any case, dispute or controversy involving an infrastructure project, or a mining, fishery, forest, or other natural resource development project of the government, or including among others public utilities for the transport of goods or commodities, stevedoring and arrastre contracts, to prohibit any person or persons, entity of government officials from proceeding with, or continuing the execution or implementation of any such project, or the operation of such public utility, or pursuing the operation of such public utility, or pursuing any lawful activity necessary for such execution, implementation or operation."

All Clerks of Court are directed to immediately furnish this Office copies of any restraining orders and/or writs of injunction against the National Power Corporation or other government public utility firms.

Strict compliance hereof is enjoined.

March __5, __1993.

(SGD.) ERNANI CRUZ PANO

Court Administrator

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