

## JUAN DE LA CRUZ, COMPLAINANT, VS. JUDGE GLICERIO ARENAL, MUNICIPAL JUDGE OF QUEZON, QUEZON, RESPONDENT.

ADM. CASE No. 783-MJ. October 08, 1974

Ponente: FERNANDEZ, J.

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### FERNANDEZ, J.:

In an undated and unverified letter-complaint addressed to the President of the Philippines, a certain JUAN DE LA CRUZ charged Glicerio Arenal, then Municipal Judge of Quezon, Quezon, with: Extortion, Grave Misconduct, Habitual Drunkenness, Neglect of Duty and Oppression.[1] This letter-complaint was, on November 16, 1972,[2] referred by the Assistant Judicial Superintendent to the respondent municipal judge for his comment within 72 hours from receipt thereof. On November 27, 1972, the respondent answered the above charges, in a letter to the Secretary of Justice,[3] denying all the accusations as false, malicious and unfounded.

On September 28, 1973,[4] Assistant Executive Secretary Ronaldo B. Zamora sent the following letter to the Honorable Secretary of Justice:

"Manila, September 28, 1973

The Honorable  
The Secretary of Justice  
Manila

S i r:

Pursuant to your recommendation, I wish to inform you that the President accepts the resignation of Atty. Glicerio Arenal as Municipal Judge of Quezon, Quezon, effective immediately.

Very truly yours,  
s/t/RONALDO B. ZAMORA  
Assistant Executive Secretary"

Then on October 11, 1973, the Secretary of Justice sent the following telegram to the respondent:

"OCTOBER 11, 1973

MUNICIPAL JUDGE GLICERIO ARENAL  
QUEZON, QUEZON

YOU ARE ADVISED PRESIDENT ACCEPTED YOUR RESIGNATION EFFECTIVE IMMEDIATELY  
PLEASE VACATE YOUR POSITION UPON RECEIPT HEREOF LETTER OF ACCEPTANCE FOLLOWS

SECRETARY ABAD SANTOS"

Considering that the instant complaint, not being verified, does not comply with the requirements of Sec. 1, Rule 140 of the Rules of Court, and/or Sec. 32, Article VII of Republic Act No. 2260, as amended, and, considering

further, that this Court has, in several administrative cases, ruled that the complaint should be dismissed, being moot and academic, it appearing that the resignation of the respondent Municipal Judge has been accepted by the President (Resolution dated August 15, 1973, in Adm. Case No. 259 [MJ]) – (Gaudiano Calagan vs. [MJ] Rosendo Gabriel); Resolution dated August 20, 1973, in Adm. Case No. 62 [MJ] – (Jose Viado, et al., vs. MJ Teofilo N. Tumalak), the instant administrative complaint against Ex-Municipal Judge Glicerio Arenal is hereby DISMISSED and considered terminated.

**SO ORDERED.**

Fernando, (Chairman), Barredo, Antonio and Aquino, JJ., concur.

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[1] pp. 51-52, Rollo.

[2] p. 53, *ibid.*

[3] pp. 55-58, *ibid.*

[4] pp. 80-83, *ibid.*

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