

**BANGON KAGAY-AN, REPRESENTED BY RICHARD NIXON A. BABAN,
& AS CITIZEN SUIT, REPRESENTED BY BENJAMIN T.
CONTRERAS, RALPH T. ABRAGAN, EDWIN I. DAEL, TITO NOEL A.
MORA, & RICHIE NER...**

Ponente: FRANCISCO, J.

Read online (full-text search, related cases, audio case brief): <https://batas.org/library/3906aa7d3e3c/>

FRANCISCO, J.:

1[st] Order

When this case was called for hearing on the issuance of Writ of Temporary Environmental Protection Order, the following appeared, Atty. Evangeline Carrasco, counsel for petitioners, Attys. Reymond Villablanca & Donald Delegencia, counsels for public respondent City Government of Cagayan de Oro, Atty. Ban Mikhael C. Pacuribot, presenting the Department of Environment and Natural Resources Region-10, Attys. Derek R. Puertollano and Leanne Maureen S. Apolinar, representing the Solicitor General, Engr. Rex Monsanto, Daniel S. Beldirol, Rodante B. Felina of MGB-10. Also present were, Atty. Dante A. Ariño, OIC, Regional Legal Office-10, Camp Alagar, Cagayan de Oro City and 2LT. Joseph Roy Ernest C. Say, PA, OIC, DSJA, 4ID, PA, representing the Commanding General, Camp Evangelista, Patag, Cagayan de Oro City.

In the course of the discussions that were made today, the parties have finally agreed to enter into a compromise agreement, which compromise agreement they filed today. Quoted verbatim is the text of the compromise agreement:

“All PARTIES, with the participation of all the other agencies of the government and Non-Governmental Organization (NGO), with the aim of helping the protection of the environment, submit this compromise agreement to terminate action and state:

a) That it is the aim and goal of all the parties concerned that the Iponan River and its watersheds should be protected from any illegal activities that will destroy its natural beauty and resources;

b) Towards this purpose, parties hereby agree to adopt the Memorandum of Agreement executed on February 28, 2013 and to form part of the agreement;

c) That the said Memorandum of Agreement serves as the covenant in helping, maintaining and implementing all the terms, conditions, responsibilities and guide in the protection of the Iponan River and its watershed;

d) That in so far as the liabilities of the private-respondents are concerned, for violating and destroying the ecology and the environment that its companies have a against the environment, in particular, the Iponan River and its watersheds, the same will be addressed separately in another forum;

e) The Compromise Agreement entered into by the parties are not contrary to laws, customs and traditions.

f) The Parties voluntarily executed the same and prayed that the same be approved and judgment be rendered in accordance therewith.

xxx xxx xxx”

DECISION

The Court has judicially examined the premises, purposes and mechanics of the compromise agreement, more particularly the Memorandum of Agreement attached thereto and the Court finds the same to be well taken and pursuant to the objectives and visions of the parties to protect the ecological balance and the environment of the Iponan River.

Finding the compromise agreement to be in order and not contrary to law, public policy and public order, the Court hereby approves the same.

The parties are enjoined to strictly adhere to the guiding principles behind the agreement for a well balanced ecology and protection of the environment in Iponan River and its environs.

The government agencies including the petitioners, Non Governmental Agencies are enjoined to fulfill their respective tasks towards the attainment of this goal.

The following are required to make a quarterly report of the steps taken to concretize the terms and conditions embodied in the compromise agreement: Engr. Rex Monsanto, MGB-10, General Catalino Rodriguez, Chief Superintendent, Philippine National Police R-10, Atty. Ricardo Diaz, Regional Director, National Bureau of Investigation, R-10, Rene K. Burdeos, Regional Director, Department of Interior and Local Government, Region-10, Mr. Manuel L. Neri, Jr., Acting Alien Control Officer, Bureau of Immigration and Deportation Office, Region-10, Ruth N. Tawantawan, Executive Regional Director, Department of Environment and Natural Resources Region-10, Sabdullah C. Abubacar, Regional Director Environmental Management Bureau, Cagayan de Oro City, Brig. General Ricardo R. Visaya, Commander, 4th Infantry Division, Governor Yebgeny Emano, Misamis Oriental, Mayor Oscar Moreno, Cagayan de Oro City, Edwin I. Dael of CLENRO, Mayor Celso Regencia, Iligan City, the Bangon Kagay-an and the SULOG representing the Non Government Organization.

These reports are required to be submitted to the Court within two (2) weeks of each quarter beginning in April 2014.

Failure on the part of the agencies concerned to fulfill their duties required by this Court shall be dealt with severely and a contempt proceedings shall ensue to ensure compliance.

Furnish the concerned Head of Office and concerned personnel of the agencies above for their strict compliance.

SO ORDERED.

Badelles and Inting, JJ., concur.

ABOUT BATAS.ORG

Study smarter at BATAS.org

The Philippine bar review and law-school companion built around how your brain actually remembers.

The complete Philippine law library - free for everyone.

More than 100,000 Supreme Court decisions, Republic Acts, and executive issuances - full-text searchable, browsable by category and year, and always free. No paywall, no login. This PDF came from it.

Audio case-brief lectures.

Any decision becomes a podcast-style lecture - facts, issues, ruling, and doctrine - with read-along highlighting and a hands-free presentation mode. Study while commuting, working out, or resting your eyes.

Bar review built on the science of memory.

Complete, sequenced courses for all eight bar subjects, narrated like podcasts and reinforced with retrieval practice and spaced review - the study techniques with the strongest evidence behind them.

The full law-school curriculum.

One subscription unlocks the entire J.D. curriculum - every subject, every lesson, with your progress tracked down to the paragraph so you can pick up exactly where you left off, on any device.

Mock exams that tell you where you stand.

Timed multiple-choice exams graded instantly, with per-subject score breakdowns and focus suggestions that point you at your weakest topics first.

A study planner that keeps you on pace.

Set your schedule and BATAS tells you every day whether you are on track for bar day - and exactly which lesson to take next.

Start free at <https://batas.org>

The law library is free forever - and your first lesson is one click away.

The text of this document is an official public record and remains in the public domain. Formatting, presentation, and compilation © 2026 batas.org.

Downloaded free from the batas.org Law Library. Share it freely - the library is free for every law student, bar reviewee, and practitioner.