

RIZAL L. NAPIZA, VICENTE RIVERA AND JULIO HAMOS, PETITIONERS VS. BERNARDINO MILICIO AND THE COURT OF INDUSTRIAL RELATIONS, RESPONDENTS.

G.R. No. L-9380. October 31, 1956

Ponente: CONCEPCION, J.

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CONCEPCION, J.:

This is an original action for certiorari to annul certain acts of the Court of Industrial Relations.

The pertinent facts are: On or about April 30, 1955, respondent Milicio Instituted Tenancy Case No. 5694-R of the Court of Industrial Relations, against Rapael L. Na-piza and Vicente Rivera. In the petition therein filed, Milicio alleged that he was a tenant of Rivera; that as such Milicio held and tilled two (2) parcels of land, situated in Santa Cruz, Laguna which, on March 1, 1955, were sold by Rivera to Napiza; that, through misrepresentations, Napiza had secured the signature of Milicio to an instrument, dated March 1, 1953, containing a renunciation of his right to remain in possession of said land as such tenant, although he had no intention to waive said right; and that in April, 1955, Napiza sought to replace Milicio as tenant and to eject him from said land. Milicio prayed therefore, that he be reinstated as such tenant; that the aforementioned renunciation of his rights be declared null and void; and that Napiza be sentenced to pay damages. On May 25, 1955, said court issued the following order:

"Upon a verified petition dated April 29, 1955, it appeared that petitioner-tenant was dispossessed of the landholding in question without any just cause.

"Considering that petitioner-tenant is being dispossessed of his landholding situated in barrio Duhat, Sta, Cruz, Laguna, by the respondent-landlord without first obtaining authority from this Court as required by Republic Act No. 1199, the respondent-landlord and or his duly authorized representative is/are, hereby ordered to desist from dispossessing the tenant of his landholding, pending investigation and final disposition of the case on its merits."

On June 3, 1955, Napiza and Rivera moved for the reconsideration of these order. Thereafter, or on June 18, 1955, Ramos filed a petition to intervene, upon the ground that he is the present tenant of the respondent Napiza, Without acting upon this petition the court in banc, by a unanimous resolution, dated June 21, 1955 denied said motion for reconsideration. On July 6, 1955, Napiza, Rivera and Ramos filed a notice to the effect that they thereby appealed by certiorari to the Supreme Court from the order and the resolution of May 25 and June 21, 1955, respectively. Two days later, they commenced, against Milicio and the Court of Industrial Relations, the case at bar, which is an original action for certiorari, based upon the proposition that the resolution of June 21, 1955 is null and void, because upon the enactment of Republic Act No. 1267, creating the Court of Agrarian Relations, which became effective on June 14, 1955, the Court of Industrial Relations lost its jurisdiction over said Tenancy Case No. 5694-R, and because, in denying the aforementioned motion for reconsideration, the Court had acted with grave abuse of discretion, the possession of the land in question having been voluntarily surrendered by Milicio. Petitioners herein pray:

"That this petition be given due course; that the Order of May 25, 1955, and the resolution of June 21, 1955 be annulled, the same having been issued without and/or in excess of the jurisdiction of the respondent court; and that petitioners be given such other and further relief which this Honorable Court may deem just and equitable."

The relief prayed for cannot be granted, for the following reasons:

- Not having been allowed to intervene in said Tenancy Case No. 5694-R, and, accordingly, not being a party in said case, petitioner Julio Ramos has no cause of action against respondents herein, as regards the order and the resolution complained of.

- The allegation of abuse of discretion on the part of the Court of Industrial Relations is predicated upon the theory that Milicio had voluntarily surrendered the possession of the land in dispute. Such theory is, however, contradicted by Milicio's verified petition in said tenancy case. Moreover, the allegation of fraud in said petition was bolstered up by the filing thereof soon after the execution of the deed of supposed renunciation of Milicio's rights as a tenant. At any rate regardless of the objective truth of this allegation, the Court of Industrial Relations did not commit a grave abuse of discretion, under the circumstances, in accepting it, provisionally on its face value.

- Republic Act No. 1267 contains no provision withdrawing from the Court of Industrial Relations the authority to dispose of tenancy cases pending at the time of the passage of said law. We must presume, therefore, that the court retained said authority, for, in the absence of a clear provision to the contrary, every statute must be deemed to operate prospectively. In other words, the jurisdiction, vested by Republic Act No. 1267 in the court of Agrarian Relations, must be construed to refer to cases filed after the approval of said legislation.

- Said jurisdiction was provided for in section 7 of Republic Act No. 1267, reading:

"The Court shall have original and exclusive jurisdiction over the entire Philippines, to consider, investigate, decide, and settle all questions, matters, controversies or disputes involving all those relationships established by law which determine the varying rights of persons in the cultivation and use of agricultural land where one of the parties works the land, and shall have concurrent jurisdiction with the court of First Instance over employer and farm employee or labor under Republic Act Numbered Six Hundred Two and over landlord and tenant involving violations of the Usury Law (Act No. 2655, as amended) and of inflicting the penalties provided therefor."

Effective on September 9, 1955, this provision was amended by Republic Act No. 1409 to read as follows:

"The Court shall have original and exclusive jurisdiction over the entire Philippines, to consider, investigate, decide, and settle all questions, matters, controversies or disputes involving all those relationships established by law which determine the varying rights of persons in the cultivation and use of agricultural land where one of the parties works the land: Provided, however, That cases pending in the Court of Industrial Relations upon approval of this Act which are within the jurisdiction of the court of Agrarian Relations, shall be transferred to, and the proceedings therein continued in, the latter court." (Italics supplied.)

The insertion in said section 7, as amended, of the proviso to the effect "that cases pending in the Court of Industrial Relations upon approval of this Act which are within the jurisdiction of the Court of Agrarian Relations, shall be transferred to, and the proceedings therein continued in, the latter court", shows that there was no such

transfer of authority under Republic Act No. 1267, with reference to said pending cases.

Wherefore, the petition for certiorari is hereby dismissed, with costs against the petitioners. It is so ordered.

Paras, C. J., Padilla, Montemayor, Bautista Angelo, Labrador, Reyes, J. B. L., Endencia and Felix, JJ., concur.

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