

THE OFFICE OF THE COURT ADMINISTRATOR, COMPLAINANT, VS. JUDGE VIRGILIO S. LANSANG, MTC, CLARK FIELD, ANGELES CITY, RESPONDENT.

A.M. No. MTJ-90-388. June 19, 1990

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PER CURIAM:

An administrative complaint, dated February 26, 1990, was filed against Judge Virgilio S. Lansang, Metropolitan Trial Court, Clark Field, Angeles City, based on the following findings of the Judiciary Planning Development and Implementation Office and the Deputy Court Administrator Reynaldo L. Suarez in the course of an investigation conducted in his court, as follows:

“1. Cases deemed submitted for decision, some of which had been submitted since 1979 and 1982 had remained undecided as of January 3, 1990, contrary to his monthly certification that he has no pending civil and criminal cases under submission for decision or determination beyond the 90-day period.

“2. Cases calendared for hearing during the month of June 1989 to December 1989, show that for the month of October 1989, only one (1) hearing was conducted; for November, only one (1) hearing also; for December, also one (1) hearing; for the month of January 1990, only two (2) days have been set for trial hearing; for the month of February 1990, only one (1) and for the month of August 1989, it appears that no case has been disposed of.

“3. While it has been verified from reports and records in his office that he has been solemnizing several marriages between Filipino citizens and Americans or foreigners on an average of about three (3) marriages a day aside from notarizing public documents for a fee, his monthly reports for 1989 to the Statistic Division of this Court do not show any marriage solemnized or document notarized by him.

“4. The accumulated caseload of 182 cases has remained invariably a back log which has not been reduced over the year despite the few cases that are filed averaging from 4 to 6 cases a month only.” (Complaint, pp. 1-2)

Earlier however, on January 26, 1990, in view of the special visit of Court of Appeals Associate Justice Leonor Ines Luciano to the Metropolitan Trial Court, Clark Field, prompted by various complaints against Judge Lansang and the latter being aware of the seriousness of the charges, respondent Judge submitted his irrevocable resignation to take effect January 31, 1990.

In his Comment dated April 4, 1990, respondent Judge summed up his reasons in this wise:

“x x x my failure to decide, to settle cases load was the non-apprehension or arrest of the accused, the existence of rift between me and the Clerk of Court, became almost irreconcilable, as manifested in the inconsistent monthly report, which was full of intrigue and inaccuracy, which lead me to say I could no longer stay, and happy working with them. That even before this controversy, I have nursed the idea of resigning.” (p. 3, Comment)

Considering all the allegations, issues and arguments raised in the complaint and in the Comment and the

resignation letter of respondent Judge dated January 26, 1990, the Court finds Judge Virgilio S. Lansang GUILTY of the charges complained of. His actuations, practices and conduct are unbecoming of a judicial officer; his acts of commission and omission having been committed through admitted negligence on his part, failure to report to the Supreme Court or to the Court Administrator, his grievances against his own Clerk of Court against whom he never filed any formal complaints regarding the latter's alleged irregularities; his apparent acceptance of the accuracy of the reports submitted by his Clerk of Court; and unmitigated failure to ask for administrative remedies from the Supreme Court and Court Administrator and the existence up to now of 182 pending cases which according to the Court Administrator had been submitted for decision, and not merely pending trial. The Court likewise Resolved not to accept such resignation (acceptance of resignations from the judiciary being a prerogative of the President of the Philippines), but instead to consider him RETIRED, with all benefits and gratuities forfeited.

Narvasa, Melencio-Herrera, Gutierrez, Jr., Cruz, Feliciano, Gancayco, Padilla, Bidin, Sarmiento, Griño-Aquino, Medialdea, and Regalado, JJ., concur.

Fernan, C.J., and Cortes, JJ., on leave.

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