

LAKAS NG MANGGAGAWANG MAKABAYAN (LMM), PETITIONER, VS. HON. WALFRIDO DELOS ANGELES, AS JUDGE OF THE COURT OF FIRST INSTANCE OF RIZAL, BRANCH IV, QUEZON CITY, VITSON MILLS, INC.,...*G.R. No. L-26507. May 30, 1975*

Ponente: FERNANDO, J.

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It could be that the Philippines has more than its fair share of practitioners possessed of that type of a legal mind, defined by Thomas Reed Powell, with his customary wit, identified with the ability to separate the inseparable and to extricate the inextricable. The complaint in the lower court, presided by the then respondent Judge Walfrido delos Angeles, which led to this certiorari and prohibition proceeding filed by petitioner labor union, Lakas Ng Manggagawang Makabayan, is one such manifestation. As far back as April 18, 1966, charges for unfair labor practice were filed against respondent Vitson Mills, Inc. with the now abolished Court of Industrial Relations. Thereafter, on July 1, 1966, more than three months later, certain employees of such firm, also named in this petition as private respondents,[1] who presumably were unable to go to work due to the picketing arising from the resulting strike, instituted a civil suit in the sala of respondent Judge. They were able to obtain, on July 14, 1966, an order enjoining the labor union as well as the persons under their direction from prohibiting, preventing, stopping, or obstructing the free passage of respondent Vitson Mills, Inc., ostensibly a defendant in their suit, as well as its officers and representatives, including its delivery panels and trucks.[2]

It could not be that as of that date, respondent Judge was still unaware of the number of decisions from this Court that clearly indicated his lack of jurisdiction on the matter. The complaint before him was quite specific as to there being a strike declared on June 19, 1966, which presumably led to illegal picketing that prevented plaintiffs from going to their place of work. Even assuming that relief was available, it was the Court of Industrial Relations that could supply it. Moreover, on July 25, 1966, in a motion to dismiss filed by defendants, now petitioners in this case, his attention was specifically called to his lack of jurisdiction, there being a labor dispute pending before the Court of Industrial Relations. He was not amenable to dismissing the suit. It must be because he was misled by the allegation that plaintiffs, now private respondents, were denied the right to go to their place of work in Vitson Mills, Inc., an aspect that could be seized upon as a differentiation from a labor dispute actually pending in the Court of Industrial Relations. That was, on the part of counsel to display a certain degree of ingenuity. Thereby, justification was sought for a resort to ordinary tribunals, which, on the whole, had been more liberal in granting injunctive relief.

Thus the question presented was whether the invocation of a hairline distinction between labor-management conflicts, clearly for the then Court of Industrial Relations to resolve, and alleged injury to private rights of individual employees, even if arising from such conflicts, would suffice for respondent Judge assuming competence. A more careful reflection ought to have convinced him that, in Thomas Reed Powell's phrase, that was still separating the inseparable and extricating the inextricable. Such a conclusion could have been arrived at

without difficulty if he did not lose sight of the fact that while private respondent Vitson Mills, Inc. was named defendant, the success of plaintiffs in that suit would redound to its benefit. It was this aspect of the matter coupled with the number of decisions consistently holding that the assertion of jurisdiction of respondent Judge was nebulous at most that led this Court to issue a writ of preliminary injunction. That the petition for certiorari and prohibition was impressed with merit became even more obvious when neither in the answers filed by private respondent Vitson Mills, Inc. and the individual private respondents, who were plaintiffs in the civil suit before respondent, could it be denied that the dispute arose from a bitter labor controversy, the appropriate forum of which was the then Court of Industrial Relations, where the matter was actually pending. Clearly, there is merit to this petition.

As of July 5, 1966, when a restraining order was issued by respondent Judge, to be followed nine days later by the injunction that led to the filing of this petition, there were at least eleven decisions of this Tribunal starting from *Reyes vs. Tan*[3] that speak unequivocally as to the court being bereft of power to assume competence[4] in a suit like that filed before respondent Judge. It could be, as discussed above, that he was taken in by the rather gossamer differentiation between the resolution of a labor controversy and the alleged protection of private rights therefrom arising. It is unfortunate that this transparent attempt at evasion did produce such a result. For that is to ignore the constant ruling of this Tribunal that the jurisdiction vested in the then Court of Industrial Relations was not to be emasculated by cleverly-designed distinctions which, even if not obnoxious from an analytical standpoint, were repugnant to the policy embodied in the Industrial Peace Act.[5]

One of the early decisions, *Consolidated Labor Association of the Philippines vs. Hon. Caluag*,[6] handed down in 1958, is relevant. The then Justice, later Chief Justice, Concepcion, speaking for this Court, after referring to the grant of exclusive jurisdiction to the Court of Industrial Relations in unfair labor practice controversies under the Industrial Peace Act, stated: "Considering this provision, in relation to section 9 of the same Act, regulating the issuance of injunctions in labor disputes, we have repeatedly held that courts of first instance may not enjoin the picketing staged in connection with such disputes, and that the jurisdiction to entertain a petition to enjoin said picketing and to issue the corresponding writ of injunction is vested exclusively in the Court of Industrial Relations, if charges of unfair labor practice, in relation to said labor disputes, are pending before the latter court prior to the filing of said petition." [7] The trend so manifest in such early cases has been uninterruptedly pursued. From 1966, when the challenged orders were issued, this Court has promulgated fifteen more decisions,[8] the last two being promulgated in January and February of this year.[9] It is thus manifest that the assumption of jurisdiction by respondent Judge is bereft of support in law.

WHEREFORE, the writ of certiorari prayed for is granted, and the orders of July 5, 1966 as well as July 14, 1966 are nullified and set aside in view of respondent Judge lacking jurisdiction over the suit filed by plaintiffs in such Civil Case No. Q-10214 of the Court of First Instance of Rizal, Branch IV, Quezon City. The writ of prohibition is likewise granted, and the successor of respondent Judge in the aforesaid Branch IV of the Court of First Instance of Rizal Quezon City, is restrained from further acting on such Civil Case No. Q-10214 except for the purpose of dismissing the same in accordance with this decision. The preliminary injunction issued by this Court on September 12, 1966 is hereby made permanent. No costs.

Barredo, Antonio, and Concepcion, Jr., JJ., concur.

Aquino, J., concurs in the result.

[1] The private respondents are Rufa Nambatac, Leonida Vallejos, Victoria Kong, Eden Magdaong and Nena Liberta.

[2] Petitito Annex F.

[3] 99 Phil. 880 (1956).

[4] The other cases are: S. M. B. Box Factory Workers Union Victoriano, 102 Phil. 646 (1957); Consolidated Labor Asso. vs. Caluag, 103 Phil. 1032 (1958); Erlanger and Galinger vs. Erlanger and Galinger Employees Asso., 104 Phil. 17 (1958); Phil. Sugar Institute vs. Court of Industrial Relations, 106 Phil. 401 (1959); Velez vs. PAV Watchmen's Union, 107 Phil. 689 (1960); Associated Labor Union vs. Rodriguez, 109 Phil. 1152 (1960); National Mines and Allied Workers Union vs. Ilao, L-16884, Jan. 31, 1963, 7 SCRA 113; Insular Sugar Refining Corp. vs. Court of Industrial Relations, L-19247, May 31, 1963, 8 SCRA 270; Jornales vs. Central Azucarera de Bais, L-15287, Sept. 30, 1963, 9 SCRA 67; BCI Employees and Workers Union vs. Marcos, L-21016, July 30, 1965, 14 SCRA 793.

[5] Republic Act No. 875 (1953).

[6] 103 Phil. 1032.

[7] Ibid, 1039.

[8] The first thirteen of such decisions follow: Associated Labor Union vs. Gomez, L-25999. Feb. 9, 1967, 19 SCRA 304; Philippine Communications, Electronics and Electricity Workers' Federation vs. Nolasco, L-24984, July 29, 1968, 24 SCRA 321; Federacion Obrera vs. Mojica, L-25059, Aug. 30, 1968, 24 SCRA 936; Veterans Security Free Workers Union vs. Cloribel, L-26439, Jan. 30, 1970, 31 SCRA 297; Lakas Ng Manggagawang Makabayan vs. Abiera, L-29474, Dec. 19, 1970, 36 SCRA 437; Espanilla vs. La Carlota Sugar Central, L-23722, March 31, 1971, 38 SCRA 186; Rustan Supervisory Union vs. Dalisay, L-32891, April 29, 1971, 38 SCRA 500; Associated Labor Union vs. Cruz, L-28978, Sept. 22, 1971, 41 SCRA 12; United Central and Cellulose Labor Association vs. Santos, L-21049, May 30, 1972, 45 SCRA 147; Filippro vs. Court of Industrial Relations, L-30827, Aug. 18, 1972, 46 SCRA 621; Philippine Association of Free Labor Unions vs. Quicho, L-30153, Sept. 13, 1972, 47 SCRA 11; Chan Bros. Inc. vs. Federacion Obrera L-34761, Jan. 17, 1974, 55 SCRA 99; New Frontier Supermarket Labor Union vs. Ericta, L-30826, April 30, 1974, 56 SCRA 785.

[9] These decisions are: Linton Mills Workers Union-Natu vs. Hon. Reyes, L-23745, Jan. 22, 1975, 62 SCRA 98 and Philippine Appliance Corporation Employees Association-NATU vs. Philippine Appliance Corporation, L-33680, Feb. 25, 1975, 62 SCRA 495.

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