

GERONIMO P. VIBAL, PETITIONER, VS. ARSENIO C. ROLDAN, JUDGE OF THE COURT OF INDUSTRIAL RELATIONS, MOISES C. KALLOS, JUSTICE OF THE PEACE OF BACACAY, ALBAY, RICARDO BELLEN, AND V...*G.R. No. L-5138. October 24, 1952*

Ponente: LABRADOR, J.

Read online (full-text search, related cases, audio case brief): <https://batas.org/library/867451610d73/>**LABRADOR, J.:**

This is a special action of prohibition against Honorable Arsenio C. Roldan, judge of the Court of Industrial Relations, Moises C. Kallos, justice of the peace of Bacacay, Albay, Ricardo Bellen, and Vicente Balaguer. Bellen and Balaguer were formerly the tenants or caretakers of petitioner Geronimo P. Vibal's coconut land situated in Bacacay, Albay. Vibal replaced them with other caretakers, and so they instituted a complaint before the Court of Industrial Relations, alleging that their removal as caretakers is contrary to the provisions of Republic Act No. 44; that they refuse to vacate the coconut land, where they reside, unless they are furnished the money with which to pay the expenses for the removal of their houses to a new place, and given their shares in the harvest of coconuts from the land. In their complaint they pray that Vibal maintain them in the possession of the land. Vibal answered the above complaint, alleging that the complainants had already voluntarily delivered the possession of the respective parts of the land occupied by them, together with the harvest; that the alleged house of Ricardo Bellen was a new one constructed without his consent, as Bellen's former house was destroyed by the typhoon of December, 1950; that Balaguer still has a house on the plantation on the understanding that he would have nothing to do with the plantation. To justify the removal of the complainants, Vibal alleges that they have committed breach of trust, that they have been taking the coconuts of the petitioner and selling them for their own benefit. He further alleges that the relation between him and the complainants does not come within the purview of the provisions of Republic Act No. 44, and, therefore, not governed by the same.

A month after the filing of his answer Vibal presented a motion to dismiss the complaint on the ground that the Court of Industrial Relations has no jurisdiction of the case in view of the decision of this court in the case of *Arciga vs. De Jesus*[*] (47 Off. Gaz, 3463). However, Judge Roldan denied the motion to dismiss the complaint, holding:

"It appearing, however, that the cause of action involved in the instant proceedings is the unjustified ejectment of the petitioners as tenants on the land belonging to the respondent, and not of division of the crop, it follows that the aforesaid case of *Arciga vs. De Jesus*, et al., does not apply. The provision of the law on the matter (Commonwealth Act No. 461, as amended by Republic Act No. 44) is clear and precise, in that any agreement or provision of law to the contrary notwithstanding, in all cases where land is held under any system of tenancy the tenant shall not be dispossessed of the land cultivated by him except for cause and without the approval of a representative of the Department of Justice duly authorized for the purpose. It is an admitted fact that the subject matter of the instant proceedings involves land held under a system of tenancy and, consequently, the ejectment of the tenants therefrom must be for cause or causes and subject to the jurisdiction of the Department of Justice (now the Court of Industrial Relations; Executive Order No. 392)."

Upon the denial of the motion to dismiss, Vibal instituted the present action for prohibition.

The complaint having been given due course in this Court, the respondents have presented an answer, alleging that inasmuch as the respondents were ejected from the land in question, and they were employed by petitioner as caretakers of the coconut trees with the right to share in the harvest thereof, the relationship between the petitioner and respondents Bellen and Balaguer is that of "landlord and tenant of an agricultural land under a system of tenancy," within the purview of Commonwealth Act No. 461, as amended by Republic Act No. 44, and the respondents, therefore, may not be dispossessed of their landholding except "for cause" and by previous authority of the agency of the Government duly empowered for the purpose, and that as there is no provision of law as to the conditions under which a tenant on shares may be ejected, other than Act No. 4054 and Commonwealth Act No. 461 (as amended by Republic Act No. 44), the Court of Industrial Relations must have jurisdiction as the one empowered under those acts to take cognizance of such a case. Under respondents' contention, questions arising from any relationship of landlord and tenant over agricultural lands of any kind whatsoever, including coconut lands, are to be governed by the provisions of Republic Act No. 44 and fall within the jurisdiction of the Court of Industrial Relations.

The above question has already been decided by this court in the case of *Arciga vs. De Jesus*, supra, in which this Court, through the Chief Justice, ruled:

"It is noteworthy that previous to the amendment introduced by Republic Act No. 44, the Department of Justice was 'charged with the duty of enforcing the Rice Share Tenancy Act'; whereas under Republic Act No. 44, this duty extends to the enforcement of 'all the laws, orders and regulations relating to any system of tenancy.' (Congressman Roy) stated: 'The one special feature of those proposed amendments is to cover also the other Tenancy Act or the Sugar Tenancy Act (Act No. 4113, as amended). As it is now, no agency can enforce the rights of the parties in the Sugar Tenancy Act. Act No. 608 provides simply for the enforcement of the Rice Tenancy Act (Act No. 4054). This proposed measure will cover all and other Tenancy Acts which will be enacted.'

"This explanation gives way to the unmistakable legislative intent to apply the provisions of Commonwealth Act No. 461, as last amended by Republic Act No. 44, only to tenancies specially covered by tenancy laws. There have so far been enacted two tenancy statutes, namely, Rice Share Tenancy Act (Act No. 4054) and Sugar Tenancy Act (Act No. 4113). As the land in question is admittedly coconut land, as to which no tenancy law has yet been promulgated, the dispute between the parties (even admitting the same to be one of tenancy as alleged by the petitioner) does not fall under the jurisdiction of the agencies specified in Commonwealth Act No. 461, as amended by Republic Act No. 44." (Italics ours.)

We might add that it could not have been the intention of Congress to grant to the Court of Industrial Relations jurisdiction over all forms of tenancy, or all forms of relation between a landowner and his tenant. The Congress started by enacting a law regulating the relations between owners of rice lands and croppers on shares thereon, and later between owners of sugar lands and their tenants. The Rice Share Tenancy Act took effect on May 1, 1933, and the Sugar Tenancy Act on January 1, 1934. Congress has not yet enacted any law governing relations between owners of other classes of agricultural lands and their tenants. Neither has it ordained that the provisions of either of said two Acts are applicable to all other agricultural lands. On the contrary, the Rice Share Tenancy Act is expressly made applicable "to the relations between landlords and tenants of rice lands only." (Section 29, Act No. 4054.) The relationships between landowners and tenants on other classes of agricultural lands are governed by conditions different from those obtaining in rice or sugar lands. It would be unwise for us to apply laws peculiarly suited for rice lands and sugar lands to other classes of agricultural lands, where conditions or circumstances are different. We would also be encroaching upon the domain of the legislature were we to declare that because of the absence of an express legislation by Congress on other agricultural lands, the provisions of the

Rice Share Tenancy Act or of the Sugar Tenancy Act should be made applicable thereto.

Section 1 of Republic Act No. 44 providing that said law should be made applicable to all forms of tenancy should not be interpreted literally. The clear legislative intent is to make the law applicable to such other tenancy laws as may be enacted in the future, not to any system of tenancy for which no rules have yet been provided.

Wherefore, the respondent Court of Industrial Relations is hereby declared to be without jurisdiction to take cognizance of the complaint of respondents Ricardo Bellen and Vicente Balaguer, and the respondents Judge of the Court of Industrial Relations and justice of the peace of Bacacay, Albay, are hereby prohibited from continuing with the proceedings instituted before them. With costs against the respondents Ricardo Bellen and Vicente Balaguer.

Paras, C. J., Pablo, Bengzon, Padilla, Montemayor, Jugo, and Bautista Angelo, JJ., concur.

* 85 Phil., 348.

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