

**FILEMON ARCIGA, PETITIONER, VS. HON. ERNESTO DE JESUS,
JUSTICE OF THE PEACE OF BASUD, CAMARINES NORTE, PAULINO
VY ERA AND PURIFICACION ARCIGA, RESPONDENTS.***G.R. No. L-2003. January 28, 1950*

Ponente: PARAS, J.

Read online (full-text search, related cases, audio case brief): <https://batas.org/library/86bb61feeb55/>**PARAS, J.:**

In November, 1947, the herein respondents Paulino Vy Era and Purificacion Arciga filed in the justice of the peace court of Basud, Camarines Norte, a complaint for ejectment (civil case No. 2) against the herein petitioner Filemon Arciga. The latter filed a special appearance alleging that since the year 1937, he has been occupying the land from which he is sought to be ejected as tenant of the respondents and has not been paid for the coconuts he had planted, and other improvements he had built, thereon as well as for his services as such tenant. The petitioner accordingly impugned the jurisdiction of the justice of the peace court, contending that the resulting tenancy dispute pertains to the Department of Justice and the Court of Industrial Relations in accordance with Commonwealth Act No. 461, as amended by Republic Act No. 44. The respondent justice of the peace overruled the contention of the petitioner and proceeded to set the case for hearing. It is for the purpose of preventing the respondent justice of the peace from assuming jurisdiction over the case that the present petition for prohibition was instituted by the herein petitioner.

Commonwealth Act No. 461, as amended by Republic Act No. 44, provides that 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 any of the causes mentioned in section 19 of Act No. 4054, or for any just cause, and without the approval of a representative of the Department of Justice duly authorized for the purpose, and should the landowner or tenant feel aggrieved by the action taken by the Department of Justice, or in the event of any dispute between them arising out of their relationship as landowner and tenant, either party may appeal or resort to the Court of Industrial Relations which is given jurisdiction to determine the controversy in accordance with law. Said Act also provides that the Department of Justice is, likewise, charged with the duty of enforcing all the laws, orders and regulations relating to any system of tenancy.

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." In explaining the change under the latter Act, its sponsor (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 here 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.

The petition will therefore be dismissed, and it is so ordered, with costs against the petitioner.

Moran, C. J., Ozaeta, Bengzon, Padilla, Tuason, Reyes, and Torres, JJ., concur.

Pablo and Montemayor, JJ., no part.

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.