

REMEDIOS HERMOSO, COMPLAINANT, VS. AMPARO MENDOZA, AN EMPLOYEE OF THE CITY COURT OF MANILA, BRANCH VII, RESPONDENT.

Adm. Matter No. P-2432. February 20, 1982

Ponente: GUERRERO, J.

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GUERRERO, J.:

The complaint of Remedios Hermoso against respondent Amparo Mendoza, an employee of Branch VII, City Court of Manila, arose from the latter's remarks made while complainant was talking and inquiring about a case with another court employee, Mr. Benjamin Catindig. Due to respondent's unwarranted remarks, a heated argument with the complainant ensued, and the latter charged respondent with "conduct unbecoming" of a public officer.

Judge Antonio Padua Paredes, to whom this case was referred for investigation, report and recommendation, disclosed the following facts:[1]

"x x x that at about 4:00 o'clock in the afternoon of Monday, August 11, 1980, complainant Hermoso, a conductress by occupation, went to the office of the personnel of Branch VII, City Court of Manila, inquiring about the status of a physical injuries case of her uncle who had earlier received a subpoena. She was being attended to by Benjamin Catindig, a court employee. After she read the complaint, she told Catindig 'to just terminate the case because my uncle was not interested anymore', having been filed in 1975. Respondent Mendoza who was busy typing behind complainant remarked, 'magdedemanda demanda kayo, tapos hindi kayo pupunta' or words of similar import. (T.S.N., p. 5, February 9, 1981, and Exhibit "A", complainant's sworn letter).

"x x x In her sworn letter, Exhibit "A", complainant continued: 'paglingon ko sa kanya, sinigawan niya ako na huwag mo akong titingnan ng ganyan.' Sumagot ako ng marahan, 'Bakit ano ba ang mata ko, nakakatakot ba, sobra kang arrogante sa mga taong mangmang na katulad ko, nagtatanong lang.'

"Catindig then asked complainant to leave the office because the judge might hear her. She did not go home but she shouted at respondent, 'Sobrang arrogante, ang pangit mo.' Complainant was at the door and respondent was being restrained by Catindig from going out. (T.S.N., pp. 5-7, February 9, 1981, complainant's own testimony)."

From the foregoing recitals, Judge Paredes found it difficult to believe "that it was respondent who had shouted at complainant and the latter answered in a soft tone, as she stated in Exhibit "A". In her (complainant's) cross-examination, she took no pains hiding her anger and repeating her defamatory utterances against respondent after she was angered by respondent's remark. It was the reverse that had happened." [2]

Judge Paredes correctly observed that "(r)espondent's remark, 'magdedemanda demanda kayo tapos hindi kayo pupunta' is a reminder made of a citizen's obligation to attend to his duties in Court in a case he had caused to be filed. Respondent had no bad intention when she uttered those words and complainant's resentment indeed took

her aback (T.S.N., p. 4, June 22, 1981). But respondent had spoken out of turn. She should not have interfered. And after suffering the insults hurled against her by complainant, she reacted by impulse apparently wanting to accept the challenge of complainant (T.S.N., p. 5, June 22, 1981) instead of controlling herself being in the public service."^[3]

The recommendation of the investigating judge is that respondent be admonished to be more circumspect and careful in her actuations as a public servant, especially in dealing with the less fortunate but more sensitive segment of our society, to which We agree.

Indeed, respondent Amparo Mendoza deserves admonition, to be more tactful and prudent in her actuations.

Common and ordinary ethics alone will dictate the impropriety of butting in on other people's conversations. More so, if the person concerned is a public officer, who as such, is required to exhibit civility and courtesy in her dealings with the public.

It may be true that respondent had no bad intention when she uttered "magdedemanda demanda kayo, tapos hindi kayo pupunta." But her good intention finds no justification, considering the conditions and circumstances when the remarks were made. In this instance, while complainant was seeking information regarding a certain physical injury case which her uncle had filed way back in 1975, and asking for its dismissal for her uncle's lack of interest, respondent, perhaps to remind complainant of her duty as a citizen, nevertheless had spoken out of turn, if not impertinently since respondent was not then spoken to.

Indeed, respondent failed short of respecting and treating a citizen with dignity who has an official business to transact in her office. Complainant has the right to be attended civilly and accordingly advised. It must be emphasized that courts are established to serve the public, specially litigants. All court officers and employees, of which respondent is one, have the duty to comport themselves in such a manner as to merit the respect and trust of the people.

WHEREFORE, IN VIEW OF THE FOREGOING, respondent Amparo Mendoza is hereby admonished and in the future, to be more prudent and tactful in her official conduct.

Teehankee (Chairman), Makasiar, Fernandez, Melencio-Herrera, and Plana, JJ., concur.

[1] Executive Judge, Memorandum, pp. 1-2.

[2] Ibid., p. 2.

[3] Ibid., p. 3.

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