

**ANTONIO V. RAQUIZA, COMPLAINANT, VS. DISTRICT JUDGE
MARIANO CASTAÑEDA, JR., COURT OF FIRST INSTANCE OF
PAMPANGA, BRANCH III, RESPONDENT.**

A.M. No. 1312-CFI. January 31, 1978

Ponente: BARREDO, J.

Read online (full-text search, related cases, audio case brief): <https://batas.org/library/a-m-no-1312/>

BARREDO, J.:

Petition to order the transfer of Special Proceedings No. 6824 of the Court of First Instance of Pampanga (Testate Estate of the late Don Alfonso Castellvi) from the sala of respondent judge, Hon. Mariano Castañeda to another branch and administrative complaint against the same judge for "(1) violation of the Anti-Graft Law; (2) rendering decision knowing it to be unjust and illegal; (3) extortion by means of oppression; and (4) bribery.

After respondent judge had filed his comment on said petition and administrative complaint, the Court resolved on August 3, 1976 to refer the administrative complaint to Justice Jose G. Bautista of the Court of Appeals for investigation, report and recommendation. Under date of September 1, 1977 and after duly hearing the parties, Justice Bautista submitted the following report:

"Complainant Antonio V. Raquiza charges the respondent Hon. Mariano Castaneda, Jr., under four counts, namely

I. Violation of the Anti-Graft Law;

II. Rendering Decision knowing it to be unjust and illegal;

III. Extortion by means of oppression; and

IV. Bribery.

I - Under Count I. complainant charges respondent of giving Mrs. Natividad Castellvi Raquiza and Mrs. Nieves Toledo-Gozun unwarranted benefits, advantage or preference in violation of paragraph (e), Section 3, Republic Act 3019, otherwise known as the Anti-Graft Law, which reads:

'Sec. 3. Corrupt practices of public officers. In addition to acts or omissions of public officers already penalized by existing law, the following shall constitute corrupt practices of any public officer and are hereby declared to be unlawful:

'xxx xxx xxx

'(e) Causing any undue injury to any party, including the Government, or giving any private party any unwarranted benefits, advantage or preference in the discharge of his official administrative or judicial functions through manifest partiality, evident bad faith or gross inexcusable negligence. This provision shall apply to officers and employees of offices or government corporations charged with the grant of licenses or permits or other concessions.'

These two parties according to complainant are not entitled to get any share from the second release of P1,000,000.00 for the Castellvi Estate and yet they were able to receive P200,000.00 and P500,000.00, respectively. Complainant further claims that Mrs. Raquiza has no more share or participation in the Castellvi Estate and in the case of Mrs. Gozun, she has no right to be given a share of the second release as it is intended solely for the Raquiza children.

"Complainant also charges respondent under paragraph (f), section 3 of Republic Act 3019 which provides:

'(f) Neglecting or refusing, after due demand or request, without sufficient justification, to act within a reasonable time on any matter pending before him for the purpose of obtaining, directly or indirectly from any person interested in the matter some pecuniary or material benefit or advantage, or for the purpose of favoring his own interest or giving undue advantage in favor of or discriminating against any other interested party.'

in having allegedly neglected or refused after several motions and oral demands, the release of the amount of P1,000,000.00 (Treasury Warrant No. D-04, 231, 948) to the Raquiza children thereby giving undue advantage to both Mrs. Raquiza and Mrs. Gozun discriminating against the Raquiza children.

II - Under Count II, complainant charges respondent with a violation of Article 204 of the Revised Penal Code for knowingly and deliberately issuing his illegal orders of February 25 and 26, 1976 allowing Mrs. Raquiza to obtain a loan of P200,000.00 from the Philippine Veterans Bank using the equivalent amount in the second release of P1,000,000.00 deposited in the bank in the name of the Castellvi Estate as collateral. Complainant contends that respondent Judge knows that Mrs. Raquiza has no more participation or interest in or any rights to the Castellvi Estate since according to the records in Civil Case No. 2761 entitled 'Pobre vs. Natividad Castellvi Raquiza', both parties agreed to give all the properties sub-ject matter of the suit to the Raquiza children.

III - Under Count III, complainant alleges that respondent committed attempted extortion by oppression in that after Mrs. Raquiza got the total of P330,000.00 from the Philippine Veterans Bank in connection with the first

release of P1,000,000.00, he visited the respondent Judge in his house asking that he would also release the balance of P300,000.00 to the Raquiza children because part of the money would be used by complainant in going to the United States for his eye treatment; and that respondent promised to give the necessary order the following day. Complainant went to Pampanga the following morning per advice of respondent and saw the judge in his private chamber; that the judge invited complainant to a corner of the room and told him that he needed money; that taken aback by such alleged act of graft and corruption, complainant shouted in a very loud voice, 'You are corrupt.' There is graft and corruption in this office,' and then left the room; but that following the saying, 'a man in need is a beggar', complainant called the judge a few days later and apologized; that they were reconciled but nonetheless, the respondent despite several requests from Atty. Yuzon, counsel for the complainant, consistently failed to comply with his promise that he would release money for the Raquiza children; that after the reconciliation, complainant visited the respondent Judge in his house and the latter promised to give the order the following day; that it was only after repeated trips of Atty. Yuzon or his assistant, Mr. Gracio Dacutan to Pampanga that the respondent Judge released the total amount of P350,000.00 to the Raquiza children; that as the Raquiza children urgently needed some of the money for themselves, the balance was not enough anymore to finance the trip of the complainant to the United States; hence, he asked again the President to release another P1,000,000.00; that the complainant brands the imposition of this hardships by respondent Judge, which is supposedly a case of extortion by means of oppression where respondent subjected complainant, his counsel Atty. Yuzon and his assistant Gracio Dacutan, had to shuttle everyday for a period of about one month between Manila to Pampanga to get the promised order of release which never came up to the present.

"IV- As to the fourth count, the complainant charges the respondent of bribery, in that 'he (respondent) gets bribe money from Mrs. Raquiza and surely from all other parties;' that on the first release of P1,000,000.00, respondent Judge extorted P70,000.00 from Mrs. Raquiza out of the release of about P330,000.00.

"In his comment or answer to the charges, respondent alleged that those indictments are devoid of factual and/or legal basis because:

"As to Charge I (Violation of Anti-Graft Law) and II (knowingly rendering unjust and illegal judgment), respondent asserts Mrs. Raquiza still has a share in the Castellvi Estate because by testamentary provision approved by final judgment, Natividad Castellvi-Raquiza, as instituted heir, is entitled to 2/3 share of the estate although one-half (1/2) of said 2/3 had been transferred to her children by virtue of a compromise agreement submitted by Urbano Pobre in Civil Case No. 2761 entitled Urbano Pobre vs. Natividad Castellvi-Raquiza (Exhs. 2 & 3, Orders of Judge Honorio Romero dated March 29, 1971 and May 26, 1971 in Sp. Proc. No. 6824). Note that a case for reconveyance was filed by Natividad Castellvi-Raquiza (Civil Case No. 3509 of the Court of First Instance of Pampanga) against her children. Said case is still pending hearing and decision according to respondent. Respondent avers that it was only after careful study of the records (16 big volumes) of Special Proceeding No. 6824 that he granted on June 19, 1975 the motion of Mrs. Raquiza filed on January 23, 1975 for authority to obtain loan believing that Mrs. Raquiza still has a share, interest and participation in the subject estate.

"Respondent also explained that the testate estate of Alfonso Castellvi is still on liquidation when the first release

of P1 million was made by the government in partial payment of the expropriated property of the estate; that as several claim of creditors have not been paid, respondent was not inclined at the outset to allow any cash release; and that the second release of P1 million could not have been intended solely for the Raquiza children, much less for the use of the complainant in his trip to the United States for his eye treatment as claimed; that the reason given in complainant's request to the President dated December 29, 1975 for the release of the P1 million out of the P2,600,000.00 was that the money would be used 'in patenting the Super-Gas Reducer in all car manufacturing countries in the world' (Exh. 5); that complainant's representative capacity as attorney-in-fact of his children as well as the purpose for seeking the withdrawal of the entire second release of P1 million is questionable because Lily Raquiza, one of the complainant's children, denied having signed or granted any power of attorney (p. 32, Roll); that in view of the foregoing, respondent judge could not properly be charged with having knowingly rendered an unjust judgment or interlocutory order.

"As to Charge III (Extortion by Means of Oppression): -

"Respondent states that the commission of attempted extortion against complainant is highly improbable; that complainant did not describe the 'shouting spree' incident faithfully because:

"Respondent does not approve of being approached in his house in connection with his official functions and without promising complainant anything, advised the latter to see respondent in his office; that the following morning when complainant went to his court chamber, Atty. Celia Macapagal and other lawyers and two or three of the court's personnel were inside the chamber; that complainant then pleaded for help that he would be able to go to the United States for his eye treatment, saying that after all the first release was authorized by the President precisely for that purpose; that complainant wanted in the corresponding order to be issued by respondent that so much amount of his children's shares in the second release should be specifically ordered paid or given to complainant; that in a nice way, respondent explained to complainant of the unsettled claims of creditors of the estate; that even more complainant was not the movant but his children and what his children would want to lend him is a matter between him and his children; that complainant then replied, 'Judge, if you would not give me the small amount I need, I will be your number one enemy x x x you chut'; that respondent stood up to reach for his crutches (respondent then had swollen foot due to his arthritis) and ordered, 'Arrest that man' but complainant had already left; that complainant's accusation is the height of absurdity since respondent would not be that stupid and careless to choose his court chamber (barely 2-1/2 x 3-1/2 meters) and in the presence of many listeners and viewers to attempt an extortion against complainant, a man of known stature, an ex-Governor Congressman, Cabinet member and a delegate to the Constitutional Convention.

"As to Charge IV - (Bribery): -

"Respondent explains this is unthinkable because

'Petitioner should surely admit that Mrs. Raquiza is even hard to converse with. To talk to her, one has to speak loud or shout. She could much less be whispered to. This considering, one could not ask something from her

without being heard. Write her a note, for evidence in order to be caught? This is absurd.'

that authority was given Mrs. Raquiza only on June 19, 1975 almost 5 months of study of her motion filed on January 23, 1975; that the authority was for P500,000.00, which was even reduced to only P333,000.00 or 1/3 of P1,000,000.00 when such release was known.

"As the letter complaint and the answer or comment of respondent are both verified, they were adopted as part of the respective evidence of the parties. They also introduced additional oral and documentary proofs. Besides complainant, his counsel Atty. Manuel Yuson and the latter's assistant, Gracio Gacutan testified. For the respondent, Atty. Celia Macapagal, Atty. Vicente Sicat and respondent Judge offered testimonial and documentary evidence.

"After a careful study of all the evidence on record, I find the charges not substantiated. There is factual and legal basis for respondent's conclusion that Mrs. Raquiza has still a share or participation in the Castellvi estate and that Mrs. Gozun has likewise a right to be given a share of the second release. As to the first (Mrs. Raquiza), her right as instituted heir of 2/3 of the estate is recognized by final judgment although by compromise agreement, 1/2 was transferred by her to her children (Exh. 2). The Raquiza children sought a reconsideration of the order of Judge Romero (Exh. 2), but the motion was denied by the same Judge (Exh. 3). There appears no appeal from said order.

"Moreover, the Raquiza children subsequently respected the remaining share of their mother by expressly agreeing to her request to the Philippine Veterans Bank president for additional loan (Exh. 4).

"It is not also rebutted that several claims chargeable against the estate has not been completely settled for which reason respondent at the outset refused to grant any release. However, for humanitarian considerations and

'x x x mainly on the basis of the President's handwritten note on complainant's letter, dated July 16, 1975 (Exh. 8), respondent authorized the withdrawal from the funds of the Castellvi Estate in the Philippines Veterans Bank derived from the first release of P1 million, for the delivery to the Raquiza children Daisy, Antonio, Jr., Levy and Douglas, in the amount of P248,000.00, and an additional amount of P20,000.00, under his orders, dated August 20, 1975 and November 24, 1975 respectively; and a separate amount of P60,000.00 to complainant's daughter Lily Raquiza (Exh. 9 and 19); and after the said Raquiza children were granted their aforementioned shares, respondent ordered the immediate payment of Mrs. Raquiza's loan by the said bank, in the amount of P330,000.00;

'19 - That under his letter, dated December 29, 1975, (Exh. 5), complainant requested again the President to release P1 million from the funds of the Castellvi Estate to the Raquiza children to be used by them in 'patenting the Super-Gas Reducer in all car manufacturing countries in the world,' and after the President

authorized the release of P1 million by the Government subject to the availability of funds, the Treasurer of the Philippines, following the recommendation of the TJAG of the AFP, issued Treasury Warrant No. D-04-231-948 for payment to the Castellvi Estate, which was actually released to the Phil. Veterans Bank, by the Army, on February 11, 1976’;

"As regards the payment to Maria Nieves Toledo Gozun, it appears that of the three expropriated properties, one parcel belongs to the Castellvi Estate while two parcels are owned by Maria Nieves Toledo, who at the time when payment was ordered, had not yet received any partial payment and had filed a motion for execution (Civil Case No. 1623 or G.R. No. L-20620) praying for partial payment. As respondent correctly argues, 'x x x for reasons of justice and equity (he) just followed the mandate of the Supreme Court in G.R. No. L-20620, August 15, 1974, for payment of the corresponding just compensation to both owners of the properties condemned.' Thus, in sharing landowner Maria Nieves Toledo Gozun in the second release, respondent had factual and legal basis and can hardly be branded as giving 'unwarranted benefits, advantage or preference' under paragraph (e), section 3 of the Anti-Graft Law.

"Similarly, considering that Mrs. Raquiza has a share in the Castellvi estate which is still on liquidation; that the second release could not have been intended solely for the Raquiza children nor for complainant's trip to the United States for his alleged eye treatment; and that complainant's authority to represent all his children had been questioned by no less than one of his children, I find it hard to say that the challenged orders were issued by the respondent Judge knowing that they were unjust and illegal.

"Relative to the charge of extortion by means of oppression, the undersigned believes as more probable the version testified to by the respondent at the investigation as well as in his verified comment. Indeed, it would be stretching credibility to its breaking point to believe that in a small room (2-1/2 x 3-1/2 meters) the respondent would have thrown all precautions to the winds and demand bribe money in the presence of Atty. Celia Macapagal, Atty. Sicat, Atty. Yuzon, Fiscal Macalino, Messrs. Yalong and Gacutan. Complainant's version cannot stand the test of common experience and the ordinary instincts of human nature and therefore should be disbelieved. There is no evidence presented by complainant that when he visited the respondent in the latter's residence in Quezon City, the respondent asked for money. There is more privacy in respondent's home rather than in his small office and yet respondent in a place of absolute privacy never asked or demanded for bribe money.

"One salient fact also denies the veracity of the version of the complainant relative to the 'shouting incident.' It is not denied that at the time the respondent could hardly stand and walk without crutches. He could not have stood therefore on a corner of the court chamber during the incident. What is more, as he was seated on a chair at the end of his desk to the right and that since complainant was only one meter away from him, the conversation naturally would have been audible and the witnesses inside the court chamber never testified that the respondent was asking money from the complainant. The evidence also remains un rebutted that a few days after the said incident, the complainant apologized to the respondent for what he had done. On top of it all, it is difficult to believe that the respondent would have committed extortion or attempted extortion against the complainant, who

is reputedly of high stature, not counting that he was a former provincial governor, congressman, cabinet member and delegate to the Constitutional Convention and it could have taken so much nerve and daring to do such an act.

"As regards the fourth charge of bribery, complainant claims that Mrs. Raquiza had told him that out of the P300,000.00 she obtained as loan from the first release of P1 million, she gave P70,000.00 to the respondent, the undersigned also finds that this charge was not substantiated. In the first place, the testimony is purely hearsay. As the complainant testified on cross-examination:

'Q Your other charge is bribery. You mentioned that the Judge extorted P70,000 from Mrs. Raquiza, what is your basis?

A It was told to me by Mrs. Raquiza.

Q I thought you are a widower?

A I am separated from her, but she comes to the house very often.

INVESTIGATOR:

May the Investigator inquire, is that separation legal?

A I filed a divorce in the States."

xxx xxx xxx

'Q So you are not a widower?

A I am a widower.

Q I cannot understand that?

A Yes, I am married to another woman.

Q You said you were told by Mrs. Raquiza?

A She told me she practically spent 1/2 of what was given to her.

xxx xxx xxx

'Q So, your basis is what you got from Mrs. Raquiza?

A Yes.

Q Of your own personal knowledge, you don't know that?

A I have not seen Mrs. Raquiza giving the money to him.'

(pp. 16, 17, 18, tsn., Feb. 2, 1977)

Mrs. Raquiza was not presented to testify on the matter. The rules even in an administrative case demands that if the respondent Judge should be disciplined for grave misconduct or any graver offense, the evidence presented against him should be competent and derived from direct knowledge. The judiciary, to which respondent belongs, no less demands that before its member could be faulted, it should be only after due investigation and based on competent proofs, no less. This is all the more so when as in this case the charges are penal in nature.

'The ground for the removal of a judicial officer should be established beyond reasonable doubt. Such is the rule where the charge on which the removal is sought is misconduct in office, willful neglect, corruption, incompetency, etc. The general rules in regard to admissibility of evidence in criminal trials apply (33 C.J. 945, sec. 47); also National Intelligence and Security Authority (NISA) vs. Martinez, 62 SCRA 411; Castral vs. Bullecer, 64 SCRA 289; Melquiades Udani Jr. vs. Pagharion, 65 SCRA 549)

"Parenthetically, under Count I and II, 'misconduct' also implies 'a wrongful intention and not a mere error of judgment' (Buenaventura v. Hon. Mariano V. Benedicto, 38 SCRA 71). It results that even if respondent were not correct in his legal conclusions, his judicial actuations cannot be regarded as grave misconduct, unless the contrary sufficiently appears. And undersigned finds, as above discussed, that complainant's evidence is wanting in this respect.

"WHEREFORE, it is respectfully recommended that the charges against the respondent be dismissed for lack of merit."

We have reviewed the record, including the transcript of the testimonies of the witnesses and the other evidence submitted by the parties. After careful consideration thereof, We find the conclusions of fact and the recommendations of the Investigator in the above report to be well taken and fully supported by the evidence on record.

ACCORDINGLY, the above-quoted report of Justice Bautista is approved, the respondent judge is exonerated and the administrative case against him is dismissed. The petition to transfer Special Proceedings No. 6824 to another judge is denied.

Fernando, (Chairman), Antonio, Aquino, and Concepcion, Jr., JJ., concur.

Santos, J., on official leave.

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.