

DOMINADOR TARECTECAN, COMPLAINANT, VS. MUNICIPAL JUDGE PEDRO T. CRISTOBAL OF MABINI, PANGASINAN, RESPONDENT.*A.M. No. 61-MJ. July 28, 1977*

Ponente: FERNANDO, J.

Read online (full-text search, related cases, audio case brief): <https://batas.org/library/a-m-no-61/>**FERNANDO, J.:**

It was a serious charge that had to be faced by respondent Pedro T. Cristobal who, as Municipal Judge of Mabini, Pangasinan, was proceeded against administratively for misconduct by virtue of a complaint instituted by one Dominador Tarectecan. He was accused of having acted on a complaint for estafa filed by his own son and having thereafter issued a warrant of arrest against respondent therein, complainant Tarectecan, who as a consequence was jailed for four days until he could furnish the bail. Only then did respondent Judge disqualify himself. That was the finding of the investigating judge, Gregorio A. Legaspi, of the Court of First Instance of Pangasinan. It was so admitted by respondent Judge at the hearing before this Court. His attention was likewise called to Administrative Order No. 248 removing from office Municipal Judge Pedro R. Rabago of Cagwait, Surigao del Sur.[1] There, it was shown that respondent Judge Rabago did appear in a civil suit as counsel for his son-in-law, who thereafter filed three criminal cases against the opposing parties, heard at the stage of preliminary investigation by such respondent Rabago, although thereafter desisting from further acting thereon in view of his relationship to the complainant. In such administrative order of President Ferdinand E. Marcos of November 17, 1970 removing such respondent from office, there is this relevant excerpt: "Evidently, respondent cannot validly plead ignorance of the circumstances antecedent to and surrounding the filing of these criminal cases, considering that he is the father-in-law and legal counsel of Nicostrato Logronio in Special Proceedings No. 49. In conducting the first stage of the preliminary investigation and issuing warrants of arrest against the accused in Criminal Cases Nos. 512 and 514, respondent judge was obviously actuated with improper and vengeful motives. He used the powers of his office not to apply the law with an even hand but to oppress the opponents of his son-in-law and former client. Respondent's actuations clearly show that he is guilty of gross abuse of the powers of his office constituting serious misconduct and that he is unfit to remain in the judicial branch of the Government." [2] Respondent Cristobal, however, did seek to distinguish the above administrative order by stressing his good faith as contrasted with the alleged political harassment and persecution that motivated the actuation of respondent Rabago.

However, no further action need be taken by this Court, as his resignation had been accepted by the President on August 25, 1975. All that need further be said is that the other alleged misconduct imputed to him, namely, the fabrication of a case of estafa against complainant Tarectecan, was shown to be without basis.

WHEREFORE, the complaint is dismissed for being moot and academic.

Castro, C.J., Teehankee, Barredo, Makasiar, Antonio, Muñoz Palma, Aquino, Concepcion, Jr., Martin, Santos, Fernandez, and Guerrero, JJ., concur.

[1] 66 O.G. 10698 (1970).

[2] Ibid, 10699.

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.