

MANUEL A. CONCORDIA, PETITIONER VS. ARTURO M. TOLENTINO AND THE HONORABLE ELECTORAL TRIBUNAL OF THE HOUSE OF REPRESENTATIVES, RESPONDENTS.

G. R. No. L-6482. July 17, 1953

Ponente: JUGO, J.

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JUGO, J.:

The petitioner Manuel A. Concordia was appointed by the Nacionalista Party member of the Electoral Tribunal of the House of Representatives he being then a Nacionalista Congressman. Later he was dismissed by the Nacionalista members of the House of Representatives and substituted by Arturo M. Tolentino, another Nacionalista Congressman. The petitioner alleges that the reason for the substitution was that the Nacionalista Party disapproved of his vote against Emmanuel Pelaez in the protest of Rodrigo C. Lim against the former, based on the ground that Emmanuel Pelaez did not have sufficient residence in the district for which he was elected Congressman.

Consequently Manuel A. Concordia filed in this Court a petition for quo warranto against Arturo Tolentino, praying that the petitioner's dismissal from the Electoral Tribunal and the appointment in his stead of Arturo Tolentino be declared null and void, and that he be reinstated in said position and Arturo Tolentino ousted therefrom.

It appearing that the petitioner Manuel A. Concordia has already left the Nacionalista Party and joined the Liberal Party, his petition now lacks proper basis.

His petition is, therefore, dismissed without pronouncement as to costs. It is so ordered.

Paras, C. J., Pablo, Bengzon, Tuason, Montemayor and Labrador, JJ., concur.

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