

PIO MARQUEZ, PROTESTANTE Y APELANTE, CONTRA ARSENIO PRODIGALIDAD, PROTESTADO Y APELADO.

G.R. No. L-2098. May 30, 1949

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PABLO, M.:

1. DERECHO CONSTITUCIONAL; JUZGADOZ; JURISDICCION; PODER DE LA LEGISLATURA.—La Constitucion claramente autoriza a la Legislatura a definir, prescribir y distribuir la jurisdiccion de los tribunales; pero expresamente dispone que no puede privar al Tribunal Supremo de su jurisdiccion para revisar, reexaminar, revocar, modificar o conocer en apelacion o mediante certiorari o recurso de casacion las decisiones de los juzgados inferiores que versan, entre otras cosas, sobre la constitucionalidad de alguna ley, ordenanza, tratado, u orden ejecutiva, o sobre la jurisdiccion del tribunal sentenciador, o sobre otras cuestiones puramente de derecho. En otras palabras, la Constitucion ha querido establecer y conservar inalterable la jurisdiccion del Tribunal Supremo sobre cuestiones constitucionales o puramente de derecho, con el proposito evidente de convertirlo en arbitro supremo en la interpretacion de la Constitucion y de la ley.

Moran, Pres., Ozaeta, Paras, Perfecto, y Briones, MM., estan conformes.

Montemayor, and Reyes, JJ., concur in the result.

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