

FELIX M. PAMANIAN, PROTESTANT AND APPELLANT, VS. PERFECTO PILAPIL, PROTESTEE AND APPELLEE

G.R. No. L-1983. June 30, 1948

Ponente: TUASON, J.

Read online (full-text search, related cases, audio case brief): <https://batas.org/library/c41f2beec825/>

TUASON, J.:

This case is before us on appeal from an order of the Court of First Instance of Leyte dismissing a motion of election protest. Judge Edmundo S. Piccio, who made the order, held that the court "did not acquire jurisdiction on the instant case" because the motion of protest did not allege that the protestant had duly filed a certificate of candidacy as provided by section 174 of the Revised Election Code.

The motion of protest recited that the protestant "was a candidate voted for in the general election held on November 11, 1947, with a valid certificate of candidacy for the Office of Mayor of the Municipality of Capooan, Province of Leyte, Philippines, within the jurisdiction of this Court." This allegation unequivocally signifies that the protestant "presented a certificate of candidacy." Couched in different forms, the two expressions convey the same idea.

This Court in *Dato Ali vs. Court of First instance of Lanao and Natancop Indol*, G.R. No. L-1888, and in *Ismael Marohon vs. Court of First instance of Lanao and Macaorao Balindong*,^[1] G. R. No. L-1889, said that an allegation that the protestants filed certificate of candidacy and an allegation that they were candidates, mean the same thing. He further said that jurisdictional facts need not have to be recited in precise and technical form, although that may be the better practice in proper cases; that when, from the allegations of the pleadings, taken together, the matters required to be averred may be gathered, the court will entertain jurisdiction.

The allegation in the above cases relative to the filing of a certificate of candidacy was much less specific than the allegation which has been held insufficient in the present case.

With reversal of the order from which this appeal has been taken, the Court of First Instance of Leyte is hereby ordered to proceed with the trial of the protest on the merits. The protestee and appellee will pay the cost of this appeal.

Parás, Feria, Perfecto, and Briones, JJ., concur.

Pablo, Bengzon, and Padilla, JJ., concur in the result.

[1] 80 Phil., 506.

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.