

FILOMENO R. NEGADO, COMPLAINANT, VS. JUDGE MANUEL E. AUTAJAY, RTC, CARIGARA, LEYTE (BRANCH 13), RESPONDENT.*A.M. No. R-710-RTJ. May 21, 1993*

Ponente: NARVASA, C.J.

Read online (full-text search, related cases, audio case brief): <https://batas.org/library/ffeac970a010/>**NARVASA, C.J.:**

The complaint in the administrative case at bar was filed in this Court by a practicing lawyer, Filomeno R. Negado, on July 10, 1986, at a time when the respondent, Hon. Manuel E. Autajay, was still in government service as Presiding Judge of Branch 13 of the Regional Trial Court at Carigara, Leyte. The latter has since retired. His application for retirement was approved by this Court by Resolution dated March 12, 1992. The resolution decreed deferment of the payment to Judge Autajay of his retirement benefits pending final adjudication of two administrative cases against him: (1) this case (A.M. No. R-710-RTJ) and (2) A.M. No. RTJ-91-747; however, by another Resolution dated July 21, 1992 issued at Judge Autajay's instance, this Court authorized the release to him of all the money corresponding to his retirement benefits except the sum of P50,000.00, which was ordered retained to respond for any monetary liability that might be imposed on him in connection with the administrative proceedings against him.

A.M. No. RTJ--91-747 was dismissed by this Court by Resolution dated May 26, 1992. The case at bar was, after issues were duly joined, referred for investigation and report on September 20, 1992 to Hon. Justice Jesus M. Elbinias, Associate Justice of the Court of Appeals. Justice Elbinias has since completed the investigation -- in the course of which the parties were accorded full opportunity to adduce and did in fact adduce evidence in substantiation of their respective submissions -- and submitted his Report.

The charges levelled by complainant Negado against Judge Autajay consisted of (1) corrupt practices, (2) impropriety, (3) abuse of discretion, (4) dishonesty, (5) lack of integrity, (6) incompetence, (7) ignorance of the law, and (8) favoritism.

The Investigating Justice found that the complainant's evidence failed to prove his accusations.

The evidence to establish complainant's allegations of corrupt practices (charge 1) and dishonesty (charge 4) consisted solely of the affidavit of one Antonio Oledan, a tricycle operator, who states that a certain "Junior," identified as the caretaker of complainant's "litigant-opponent," Rodel Miranda, had hired his tricycle several times in 1985 and 1986 to bring bangus, prawns and shrimps to the house of Judge Autajay, and that he (Junior) had told him that he was delivering the fish, prawns and shrimps to Judge Autajay as "regalo." The Court agrees with the investigator that this affidavit is hearsay, "Junior" never having been presented at the investigation to testify on the matter, and the averments thereof cannot be regarded as competent evidence to prove the serious accusation of bribery.

Also correctly rejected was the affidavit of Materno Torredes, a retired public school teacher, presented by the complainant in proof of the Judge's acts of impropriety (charge 2), lack of integrity (charge 5), and favoritism (charge 8). The affidavit imputed to His Honor lack of "delicadeza" in that he "used to attend/accept invitations to

social affairs (such) as birthdays, Brgy. Fiesta, death anniversaries, etc., given by people who have cases before his Court and drank and socialized with them," and asserted that "there were rumors that he (the Judge) used to have favorable lawyers whom some people called his law partners." The allegations in the affidavit included "(n)o specifics" such as "the names of the people involved, time, place, etc.," and were thus, according to the Investigator's Report, "mere conclusions and hearsay."

In proof of the charges of abuse of discretion (No. 3), incompetence (No. 6) and ignorance of the law (No. 7), complainant submitted documents forming part of the records of four civil cases, and the affidavit of Raquel Pamanian, the offended party in a criminal case for murder. Again, this Court accepts the Investigating Justice's dispositions as regards these accusations. Even assuming that the documents do reflect some error on the part of respondent Judge committed in connection with the cases in question, the error could not be characterized as so grave and on so fundamental a point as to warrant condemnation of the Judge as patently ignorant or negligent. As pointed out by the Honorable Investigator -

“** at most such error could only be either of judgment or of jurisdiction or, simply, judicial in nature. These errors could have been avoided or remedied through further judicial processes, and not through an administrative complainant such as the instant case.

When a person seeks administrative sanction against a judge simply because he has committed an error in deciding the case against such person, * * when such error can be elevated to a higher court for review and correction, the action of such person can only be suspect.

In *Ramirez vs. Corpuz-Macandong* (Adm. Matter No. R-351- RTJ, 144 SCRA 462, 474-475 [1986]), the Supreme Court held:

' * * "(T)o hold a judge administratively accountable for every erroneous ruling or decision he renders, assuming that he has erred, would be nothing short of harassment and would make his position unbearable."

'Similarly, in the case of *Vda. de Zabal vs. Pamaran*, 39 SCRA 430, this Court had the occasion to pronounce that "mere errors in the appreciation of evidence, unless so gross and patent as to produce an inference of ignorance or bad faith or that the judge knowingly rendered an unjust decision * * are irrelevant and immaterial in an administrative proceeding against him." We further stated: "If in the mind of the respondent the evidence for the defense was entitled to more weight and credence, he cannot be held to account administratively for the result of that ratiocination.'"

A thoroughgoing review of the record fails to disclose any adequate evidentiary foundation for any of the wrongs ascribed to His Honor, or for the overruling of the Investigating Justice's "conclusion that complainant failed to make out his case even with simple preponderance of evidence against respondent."

WHEREFORE, the complaint against the respondent Judge is DISMISSED, and the immediate payment to him of the amount withheld from his retirement and gratuity benefits is hereby DIRECTED.

SO ORDERED.

Cruz, Feliciano, Padilla, Bidin, Griño-Aquino, Regalado, Davide, Jr., Romero, Nocon, Bellosillo, Melo, and Quiason, JJ., concur.

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.