

EULOGIO RODRIGUEZ AND GRACIANO JUTA, PETITIONER, VS. THE MUNICIPAL COUNCIL OF TAGIG (RIZAL PROVINCE), COMPOSED OF JOSE PAGTAKHAN, PRESIDENT; ANTERO IGNACIO, VICE-PRESIDENT; AND ...

G.R. No. 15154. March 25, 1919

Ponente: JOHNSON, J.

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JOHNSON, J.:

Considering all the facts alleged in the petition and answer in relation with the arguments of the respective counsel, and

Considering the provisions of the Administrative Code with special reference to sections 417 and 453, which have relation to such facts, and

Considering the fact that the petitioners are members of a political party which is the successor of the political parties which existed at the last election, and

Considering that its predecessors cast at least thirty per cent of the votes in the municipality of Tagig, and

Considering that the spirit, if not the letter, of the law requires, in the interest of harmony and good government, the municipal council of said municipality to appoint at least one inspector who shall represent said party for each precinct, at the coming elections.

It is therefore hereby ordered and decreed that the remedy prayed for in the petition be granted and that a peremptory order be issued immediately against said respondents ordering said municipal council and each of the members thereof to revoke the resolution adopted by them on March 2, 1919, with regard to the appointment of three members of the Nacionalista Party (nacionalistas) as election inspectors in each of the electoral districts of said municipality, and in its stead, to adopt a resolution to name, and should name, among the three election inspectors, in each district, Uldarico Yum-ping in the first district and Victor Natividad in the second, or those persons who, in the place of the last two named, may be proposed by the Democratic Party. Each and everyone of the respondents, with the exception of Graciano Juta who is also one of the petitioners, is hereby sentenced to pay the costs of the proceeding. So ordered.

Arellano, C.J., Torres, Araullo, Street, Malcolm, Avanceña, and Moir, JJ., concur.

Writ granted.

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