

## MODESTA VDA. DE SANTOS, PETITIONER, VS. DANIEL GARCIA, RESPONDENT.

*G.R. No. 16894. May 31, 1963*

Ponente: PAREDES, J.

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### PAREDES, J.:

This case comes to us for review from the Court of Agrarian Relations. The only issue raised is whether a tenant, who reaps crops without the previous knowledge and consent of the landholder, may be ejected from the land.

Respondent was found by the Court of Agrarian Relations to have reaped a portion of the 1958-1959 crop without first notifying petitioner landholder, contrary to his earlier assurance to petitioner's son, Gregorio Santos, that all the palay harvest had been taken to the threshing site and that nothing else remained on the land. Discovery of the remaining palay here complained of to have been unlawfully reaped, estimated to be two cavans, came only when petitioner's son happened to go to respondent's landholding for the purpose of surveying the same.

Upon the above facts, respondent Judge Domingo M. Cabangon, before whom the case was tried, ordered the ejectment of the respondent. On a motion for reconsideration filed, the order of ejectment was reversed, the said tribunal declaring:

"\* \* \* Humanly, however, it would be revolting against the conscience of man if by reason of such a violation involving an insignificant amount which does not even disturb one meal, or even the 'segundo almuerzo,' so to speak, of petitioner, the tenant's ejectment would be meted out, thus causing him misery and hunger. \* \* \* Under these particular circumstances, the Court will be willing to be lenient, considering that the amount involved in the violation of the law is so small but inflicting bigger penalty such as his ejectment from his landholding which is the source of his livelihood."

From that resolution, petitioner appealed to this Court. Here, the Court of Agrarian Relations found that respondent had reaped the remaining portion of the crop for 1958-1959 without previous notice to the landholder. While under Section 36 of Republic Act No. 1199, as amended by Republic Act No. 2263, respondent has the right to determine when to reap his crop, yet this right is subject to the proviso that the reaping must be done "in accordance with proven farm practices and after due notice to the landholder." Section 39 provides that-

"It shall be unlawful for either the tenant or the landholder, without mutual consent, to reap or thresh a portion of the crop at any time previous to the date set for its threshing. Any violation by either party shall be treated and penalized in accordance with this Act and/or under the general provisions of law applicable to the act committed."

We concede that a literal interpretation of the above provision of law can warrant and even justify the ejectment of the herein respondent tenant. However, in the consideration of social welfare legislations, like the one at bar, this Court is guided by more than just an inquiry into the literal meaning of the law. This Court will not ignore the truth that the broad consideration bearing upon the proper interpretation of tenancy and labor legislations are the ultimate resolution of doubts in favor of the tenant or worker (Section 56). Similar principle is embodied in

Article 1702 of our Civil Code. Furthermore, it should be noted that under this last mentioned rule of law, in case of doubt, the law should be construed in favor of safety and decent living of the laborer. There would be no better example or illustration of the applicability of this principle than the one involved in this case.

In this connection, We would like to make certain observations regarding this case. The Court of Agrarian Relations found that the amount involved in this litigation (2 cavans of palay) involves either P4.20 or P1.70 only (share of the landowner), depending upon the tenancy contract of the parties concerned. It is evident, therefore, as the Court of Agrarian Relation observed, that the amount was relatively insignificant. Moreover, respondent tenant has already been called to account for his conduct here complained of when the herein petitioner filed a complaint for theft against him with the Justice of the Peace Court of Sta. Ana, Pampanga. Significantly, the said criminal action was dismissed.

This is not the first time that this Court has) rendered to a tenant the benefit of doubt. In a case where a tenant committed acts which strictly under the law could have justified his eviction from the farm he was tilling, this Court, expressing the very sentiment we now reiterate, said-

"However, in the interest of justice, we believe that the tenant should be given another opportunity to present his side of the case and the petitioner given an equal opportunity to present additional evidence, if any, \* \* \*, Moreover, about four years have passed since the petition for ejectment of the tenant was filed in 1954. During the interval, many things may have occurred, such as, if it was true that the tenant by his acts or omission had given valid ground for ejectment, he may have mended his ways and become a good tenant \* \* \*.' (Santos vs. Concepcion, et al., 103 Phil., 596).

WHEREFORE , the resolution of the Court of Agrarian Relations dated February 24, 1960, rejecting the ejectment of the herein respondent tenant, is hereby affirmed. No pronouncement as to costs.

Bengzon, C. J., Padilla, Bautista Angelo, Concepcion, Reyes, J. B. L., Barrera, Paredes, Dizon, and Makalintal, JJ., concur.

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