

PHILIPPINE SAVINGS BANK (PSBANK) AND PASCUAL M. GARCIA III, AS REPRESENTATIVE OF PHILIPPINE SAVINGS BANK AND IN HIS PERSONAL CAPACITY, PETITIONERS, – VERSUS – SENATE IMPEACHMENT...

G.R. No. 200238. November 20, 2012

Ponente: PERLAS-BERNABE, J.

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PERLAS-BERNABE, J.:

Petitioners Philippine Savings Bank (PSBank) and Pascual M. Garcia III, as President of PSBank, filed a Petition for Certiorari and Prohibition seeking to nullify and set aside the Resolution[1] of respondent Senate of the Republic of the Philippines, sitting as an Impeachment Court, which granted the prosecution's requests for subpoena duces tecum ad testificandum[2] to PSBank and/or its representatives requiring them to testify and produce before the Impeachment Court documents relative to the foreign currency accounts that were alleged to belong to then Suprerpe Court Chief Justice Renato C. Corona.

On November 5, 2012, and during the pendency of this petition, petitioners filed a Motion with Leave of Court to Withdraw the Petition[3] averring that subsequent events have overtaken the petition and that, with the termination of the impeachment proceedings against former Chief Justice Corona, they are no longer faced with the dilemma of either violating Republic Act No. 6426 (RA 6426) or being held in contempt of court for refusing to disclose the details of the subject foreign currency deposits.

It is well-settled that courts will not determine questions that have become moot and academic because there is no longer any justiciable controversy to speak of. The judgment will not serve any useful purpose or have any practical legal effect because, in the nature of things, it cannot be enforced.[4] In *Gancho-on v. Secretary of LEmployment,abor* and [5] the Court ruled:

It is a rule of universal application that courts of justice constituted to pass upon substantial rights will not consider questions in which no actual interests are involved; they decline jurisdiction of moot cases. And where the issue has become moot and academic, there is no justiciable controversy, so that a declaration thereon would be of no practical use or value. There is no actual substantial relief to which petitioners would be entitled and which would be negated by the dismissal of the petition. (Citations omitted)

Indeed, the main issue of whether the Impeachment Court acted arbitrarily when it issued the assailed subpoena to obtain information concerning the subject foreign currency deposits notwithstanding the confidentiality of such deposits under RA 6426 has been overtaken by events. The supervening conviction of Chief Justice Corona on May 29, 2012, as well as his execution of a waiver against the confidentiality of all his bank accounts, whether in peso or foreign currency, has rendered the present petition moot and academic.

On the basis of the foregoing, the Court finds it appropriate to abstain from passing upon the merits of this case where legal relief is no longer needed nor called for.

WHEREFORE, the petition is DISMISSED for having become moot and academic and the temporary restraining order issued by the Court on February 9, 2012 is LIFTED.

SO ORDERED.

Sereno, C.J., Carpio, Leonardo-De Castro, Brion, Bersamin, Del Castillo, Abad, Villarama, Jr., Perez, and Mendoza, JJ., concur.
Velasco, Jr., Peralta, and Reyes, JJ., on official leave.

[1] Annex "A" of the Petition. Rollo, pp. 38-39.

[2] Case No. 002-20 II entitled, "In the Matter of the Impeachment of Renata C. Corona as Chief Justice of the Supreme Court, Representatives Niel C. Tupas, et. al., other complainants comprising one third (113) of the total Members of the House of Representative, complainants."

[3] Rollo, pp. 356-361.

[4] Sales v. Commission on Elections, G.R. No. 174668, September 12, 2007, 533 SCRA 173, 176-177.

[5] 337 Phil. 654, 658 (1997).

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