

RAYMUNDO TRANSPORTATION CO., INC., PETITIONER AND APPELLANT, VS. MARIANO PEREZ, RESPONDENT AND APPELLEE.

G. R. No 34672. November 03, 1931

Ponente: OSTRAND, J.

Read online (full-text search, related cases, audio case brief): <https://batas.org/library/g-r-no-34672/>

OSTRAND, J.:

This is a petition for review of a decision rendered by the Public Service Commission in case No. 19959, where the respondent-appellee is the applicant and the herein petitioner-appellant is the oppositor.

The record shows that the appellee was at first an irregular operator of a transportation service between Manila and Antipolo by means of auto-trucks, but later filed an application to the effect that his irregular service should be converted into regular service on a fixed time schedule. He thereafter amended his application and included therein the small town of Teresa, but to this the appellant herein, together with several other operators on that line, presented opposition and the commission denied the application with respect to Teresa, but approved the appellee's application for the Manila-Antipolo line. The appellee, later, filed an additional motion in regard to his above-mentioned application, which may be considered a complaint against the appellant herein, and this gave rise to the rendition of another decision on September 18, 1930, cancelling many runs of appellant to and from Manila and Teresa, and granting to the appellee and two others the operation up to Teresa. The Raymundo Transportation Co. thereupon presented a petition to this court for review of this decision of the Public Service Commission.

It appears that the petitioner-appellant was a holder of a certificate of public convenience under Case No. 13064 of the Public Service Commission, granted January 20, 1928, for the operation of an auto-truck service between Manila and Santa Cruz (Laguna) via Antipolo and Teresa, and between Manila and Morong via Antipolo and Teresa. The road open to traffic goes only as far as Teresa and does not reach Morong. The appellant Raymundo Transportation Co. had an authority to make 24 hourly runs or trips in one day, all passing through the town of Teresa, but it could only run one or two busses a day, which was an open violation of the terms of its certificate of public convenience and which had been the subject of several complaints from different sources. Upon finding by the commission of the non-observance of the terms of the certificate of public convenience of the herein appellant, the commission ordered the Raymundo Transportation Co. to make the trips granted to it, but the appellant again failed to do so.

While it is the duty of the government as far as possible to protect public utility operators against unfair and unjustified competition, it is nevertheless obvious that public convenience must have the first consideration. It is evident that on the line in question the traveling public is in need of more efficient service than that given by the Appellant, and since it is evident that he cannot give the required service, other operators may be entitled to seek certificate of public convenience in the same territory. The cases cited by the appellant are not in point.

The judgment appealed from is therefore affirmed in its entirety, with costs against appellant. So ordered.

Avanceña, C. J., Johnson, Street, Malcolm, Villamor, Romualdez, Villa-Real, and Imperial, 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.