

****Title:****

City of Manila v. Genero M. Teotico

****Facts:****

On the night of January 27, 1958, Genero M. Teotico was at the corner of Old Luneta and P. Burgos Avenue, Manila, waiting for a jeepney in a loading and unloading zone. After about five minutes, he hailed a jeepney and began to board it. As he stepped down from the curb, Teotico fell into an uncovered and unlighted catchbasin. His fall resulted in head injuries, including broken eyeglasses that pierced his left eyelid, and various contusions and abrasions. He received immediate medical care at the Philippine General Hospital and thereafter continued treatment, incurring total medical expenses of PHP 1,400.00.

Teotico, prevented from working for 20 days, lost an estimated daily income of PHP 50.00 and incurred further legal fees for representation amounting to PHP 2,000.00. The incident also caused him mental distress and social embarrassment.

Teotico filed a lawsuit for damages against the City of Manila and several of its officials. The City of Manila argued that it had made timely attempts to cover the catchbasin when it was reported uncovered but did not receive any interim reports of it being uncovered before Teotico's accident.

The trial court dismissed Teotico's complaint, a decision later partially reversed by the Court of Appeals, which found the City of Manila liable and ordered it to pay damages totaling PHP 6,750.00. The City of Manila sought review by the Supreme Court via a petition for certiorari.

****Issues:****

1. Whether Section 4 of Republic Act No. 409 or Article 2189 of the Civil Code governs the City's liability for damages.
2. Whether the City of Manila can be held liable for the accident, given that P. Burgos Avenue is allegedly a national highway.
3. Whether the City of Manila has been negligent in maintaining the catchbasin.

****Court's Decision:****

****1. Legal Provision Governing Liability:****

The Supreme Court held that Article 2189 of the Civil Code, and not Section 4 of Republic Act No. 409, governed the liability of the City of Manila. While Section 4 of RA 409 deals

with general negligence, Article 2189 specifically addresses liability for injuries arising from the defective condition of streets and other public works. Since Teotico's injury resulted from a defective street condition, Article 2189 was applicable.

****2. Control Over P. Burgos Avenue:****

The Court rejected the City's argument that P. Burgos Avenue was a national highway and thus outside its control or supervision. The City raised this argument only in a motion for reconsideration before the Court of Appeals, not during the trial, making it an unlitigated factual issue not subject to Supreme Court review. Furthermore, even if P. Burgos Avenue were a national highway, the City of Manila could still be responsible under Article 2189 if it exercised control or supervision.

****3. Negligence of the City:****

The Supreme Court upheld the Court of Appeals' finding of the City's negligence in maintaining the catchbasin. The City of Manila had control over street maintenance and insufficient measures in place to prevent or quickly rectify the hazardous condition of the catchbasin.

****Doctrine:****

The case establishes the application of Article 2189 of the Civil Code over special laws like RA 409 when dealing with liabilities due to defective public works. It reiterates that municipalities are liable for injuries from road defects under their control or supervision, even if the road is classified as a national highway, if they exercise control or supervision over it.

****Class Notes:****

- ****Elements of negligence under Article 2189:**** Responsibility for injury due to defective public works controlled or supervised by the municipality.
- ****Rep. Act No. 409, Sec. 4:**** General non-liability for failure to enforce laws or ordinances or general negligence by city officials.
- ****Distinctive application:**** A specific statute (Art. 2189) takes precedence over a general rule in the context of public works defects.
- ****National highways:**** Municipalities may still hold responsibility under Art. 2189 for road conditions if they have control or supervision.

****Historical Background:****

This case reflects the period's infrastructural challenges, specifically the frequent theft of

iron manhole covers due to the lucrative scrap iron business, which contributed to hazardous public street conditions. It underscores the judiciary's role in filling gaps left by administrative and legislative bodies in ensuring public safety.