

**\*\*Title:\*\***

Godofredo B. Herrera vs. Alberto Barretto and Constancio Joaquin, G.R. No. L-16422

**\*\*Facts:\*\***

On March 1, 1913, Constancio Joaquin brought an action against Godofredo B. Herrera, the Municipal President of Caloocan, alleging entitlement to a cockpit license that Herrera had declined to issue. Joaquin sought a mandamus to compel Herrera to issue said license. Upon filing the verified complaint, Joaquin requested a mandatory injunction to gain a provisional license to operate the cockpit during the trial's pendency. The Court of First Instance of Rizal, presided over by Judge Alberto Barretto, issued this injunction *ex parte*, i.e., without notifying Herrera.

Herrera then filed a petition for certiorari in the Supreme Court, contending that the Court of First Instance exceeded its jurisdiction on several counts, including that the municipal president did not have authority to issue cockpit licenses, procedural guidelines for issuing an injunction were not followed, and ongoing related litigation precluded the issuance of such injunctions.

**\*\*Issues:\*\***

1. Did Judge Alberto Barretto exceed his jurisdiction in issuing the mandatory injunction *ex parte*?
2. Was the issuance of the cockpit license under dispute a matter of jurisdiction?
3. Does an ongoing related case affect the jurisdiction to issue a mandatory injunction?

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

1. **\*\*Jurisdiction in Issuing Injunction (Ex Parte):\*\***

- The Supreme Court held that the Court of First Instance did not lack jurisdiction in issuing the injunction. The Code of Civil Procedure granted it jurisdiction over mandamus cases. Although the injunction could be seen as irregular, it did not amount to a jurisdictional error but rather one of exercise within its jurisdiction.

2. **\*\*Authority Over Cockpit Licenses:\*\***

- The Court clarified that resolving who within the municipality should issue licenses was part of the Court of First Instance's jurisdiction as it pertained to the mandamus action. The error, if any, in judicature did not void the jurisdiction.

3. **Ongoing Related Case:**

- Regarding parallel litigation, the Supreme Court ruled that pending actions involving similar subject matters do not oust jurisdiction. The matter at hand was distinct as it specifically involved Joaquin's license issue, and the trial court was entitled to resolve questions related to it.

**Doctrine:**

The central doctrine reiterated by the Supreme Court asserts that certiorari is inappropriate for correcting perceived errors or irregularities unless there is a clear jurisdictional overreach. Jurisdiction involves the legal authority to decide the subject matter legitimately, and its correct or incorrect application traditionally does not impair its existence.

**Class Notes:**

- **Jurisdiction:** Authority to decide on matters within legal competence, distinguished from proper or improper exercise thereof.
- **Certiorari:** Remedial writ correcting jurisdictional overreach only, unsuitable for routine appeals or error rectifications.
- **Mandamus:** Judicial order commanding a public official to perform a non-discretionary duty.
- **Mandatory Injunction:** Not void when irregular, if issued under subject-matter jurisdiction.

**Historical Background:**

The case emerges during early 20th century colonial Philippines, a time defined by substantial American influence and the establishment of legal frameworks based on U.S. jurisprudence. This era saw frequent reinterpretations and assertions of jurisdictional boundaries within the Filipino legal system influenced by broader colonial administrative practices. The case illustrates evolving legal proceedings and judicial checks during this formative period.