

Title: Bernarda S. Canonizado vs. Hon. Regina Ordoñez Benitez, RTC Judge & Atty. Cesar R. Canonizado

Facts:

- Initiation of Proceedings (1956):** Bernarda S. Canonizado filed a case for support against her husband, Atty. Cesar R. Canonizado on March 13, 1956, at the Juvenile and Domestic Relations Court of Manila. The court granted support for their minor child, Christina, at ₱100 monthly but denied the same for Bernarda, citing her employment.
- Certiorari to the Supreme Court (1960):** Bernarda appealed the decision through a petition for certiorari. The Supreme Court modified the order on September 30, 1960, granting ₱100 monthly support both for Bernarda and Christina.
- Enforcement Actions (1963):** A writ of execution led to a contested auction of supposed properties of Cesar in 1963. The court ruled the properties were fraudulently conveyed and upheld the auction.
- Subsequent Decisions and Appeals (1964-1969):** In 1964, a new award included arrearages and increased Christina's monthly support to ₱150. This was affirmed but modified on appeal with a final decision on January 21, 1969, to provide Bernarda with ₱100 monthly support from October 1964.
- Failure to Collect and Negotiations (1976):** Despite a writ of execution issued on July 22, 1976, totalling ₱16,150 for Christina and ₱17,200 for Bernarda, the amount was unpaid due to failed compromise agreements.
- Petitions for Alias Writs (1977-1982):** Bernarda sought an alias writ of execution in 1977 and filed mandamus petitions (G.R. No. L-49315, L-60966). The Supreme Court ordered enforcement of arrears from 1956-1972, but current support was deferred pending other proceedings.
- Legal Delays and Contempt Proceedings (1986):** Cesar's motions delayed payment due past litigation and property exemption claims. Contempt proceedings were initiated due to non-compliance.

Issues:

- Enforceability of Support Orders Over Time:** Whether the support orders can still be

enforced against Cesar despite delays and attempts to invalidate the orders.

2. **Mandamus for Execution:** Whether the petitioner (Bernarda) can compel the judge by mandamus to enforce the execution of judgment for arrears.

3. **Contempt and Ministerial Duties:** Determining if the non-enforcement of the writ of execution constitutes contempt and what constitutes the ministerial duty of the lower court judges.

4. **Legal Interests on Arrears:** Whether Bernarda can claim legal interest on overdue support payments.

Court's Decision:

1. **Enforceability of Support Orders:** The Supreme Court affirmed that arrears from 1956 to 1972 are vested rights and enforceable, independent of Cesar's pending motion challenging support post-1973.

2. **Issuance of Mandamus:** The Court granted mandamus to enforce a ministerial act—compelling the judge to enforce the execution writ. The Court emphasized that discretion cannot hinder executing a valid court order.

3. **Resolution of Contempt Issues:** The Court directed Judge Benitez to resolve pending contempt issues related to Cesar's non-compliance.

4. **Denial of Legal Interest:** The Court denied requesting legal interest, stressing its inappropriateness as no prior claim was made in earlier stages of the proceedings.

Doctrine:

- **Ministerial Acts in Law:** The case reiterates the principle that actions following court-ordered writs are ministerial and not subject to judicial discretion once directives are clear.

- **Vested Rights in Support Payments:** Accrued support payments become vested rights, remaining enforceable despite delays or ancillary disputes.

Class Notes:

- **Mandamus: Definition:** A writ issued as a command to an inferior court or ordering a person to perform a public or statutory duty.

- **Enforceability of Judgments:** Time does not invalidate the execution of support orders

when vested rights are involved.

- **Vested Rights:** These are rights so completely and definitely acquired by a party that they are not dependent on any uncertain future event.
- **Ministerial vs. Discretionary Acts:** Understanding which court actions are optional and which are obligatory helps decipher judicial boundaries.

Historical Background:

This case reflects post-war Philippines' evolving legal system concerning family law and judiciary discretion. It arises in the socio-legal context of the 20th-century Philippines, where laws on marital obligations gained prominence. The long-standing non-compliance cases manifest challenges in enforcing family support effectively across decades amidst varying interpretations of familial duties under the Republic's evolving civil codes.