



Republic of the Philippines
Supreme Court

Manila
EN BANC

**CHIEF JUSTICE RENATO C.
CORONA,**

Petitioner,

G.R. No. 200242

Present:

CARPIO,
VELASCO, JR.,*
LEONARDO-DE CASTRO,
BRION,**
PERALTA,
BERSAMIN,
DEL CASTILLO,*
ABAD,
VILLARAMA, JR.,
PEREZ,
MENDOZA,
SERENO,
REYES, and
PERLAS-BERNABE, JJ.

- versus -

**SENATE OF THE PHILIPPINES
sitting as an IMPEACHMENT
COURT, BANK OF THE
PHILIPPINE ISLANDS,
PHILIPPINE SAVINGS BANK,
ARLENE "KAKA" BAG-AO,
GIORGIDI AGGABAO,
MARILYN PRIMICIAS-
AGABAS, NIEL TUPAS,
RODOLFO FARIÑAS,
SHERWIN TUGNA, RAUL DAZA,
ELPIDIO BARZAGA,
REYNALDO UMALI, NERI
COLMENARES (ALSO KNOWN
AS THE PROSECUTORS FROM
THE HOUSE OF
REPRESENTATIVES),**

Respondents.

Promulgated:

JULY 17, 2012

A handwritten signature, likely of Justice Carpio, is written over a horizontal line. The signature is in cursive and appears to read "Carpio".

X-----X

* No Part.
** On leave.

RESOLUTION

VILLARAMA, JR., J.:

Before this Court is a petition for certiorari and prohibition with prayer for immediate issuance of temporary restraining order (TRO) and writ of preliminary injunction filed by the former Chief Justice of this Court, Renato C. Corona, assailing the impeachment case initiated by the respondent Members of the House of Representatives (HOR) and trial being conducted by respondent Senate of the Philippines.

On December 12, 2011, a caucus was held by the majority bloc of the HOR during which a verified complaint for impeachment against petitioner was submitted by the leadership of the Committee on Justice. After a brief presentation, on the same day, the complaint was voted in session and 188 Members signed and endorsed it, way above the one-third vote required by the Constitution.

On December 13, 2011, the complaint was transmitted to the Senate which convened as an impeachment court the following day, December 14, 2011.

On December 15, 2011, petitioner received a copy of the complaint charging him with culpable violation of the Constitution, betrayal of public trust and graft and corruption, allegedly committed as follows:

ARTICLE I

RESPONDENT BETRAYED THE PUBLIC TRUST THROUGH HIS TRACK RECORD MARKED BY PARTIALITY AND SUBSERVIENCE IN CASES INVOLVING THE ARROYO ADMINISTRATION FROM THE TIME OF HIS APPOINTMENT AS SUPREME COURT JUSTICE AND UNTIL HIS DUBIOUS APPOINTMENT AS A MIDNIGHT CHIEF JUSTICE TO THE PRESENT.

ARTICLE II

RESPONDENT COMMITTED CULPABLE VIOLATION OF THE CONSTITUTION AND/OR BETRAYED THE PUBLIC TRUST WHEN HE FAILED TO DISCLOSE TO THE PUBLIC HIS STATEMENT OF

ASSETS, LIABILITIES AND NET WORTH AS REQUIRED UNDER SEC. 17, ART. XI OF THE 1987 CONSTITUTION.

2.1. It is provided for in Art. XI, Section 17 of the 1987 Constitution that “a public officer or employee shall, upon assumption of office and as often thereafter as may be required by law, submit a declaration under oath of his assets, liabilities, and net worth. In the case of the President, the Vice-President, the Members of the Cabinet, and other constitutional offices, and officers of the armed forces with general or flag rank, the declaration shall be disclosed to the public in the manner provided by law.”

2.2. Respondent failed to disclose to the public his statement of assets, liabilities, and net worth as required by the Constitution.

2.3. It is also reported that some of the properties of Respondent are not included in his declaration of his assets, liabilities, and net worth, in violation of the anti-graft and corrupt practices act.

2.4. Respondent is likewise suspected and accused of having accumulated ill-gotten wealth, acquiring assets of high values and keeping bank accounts with huge deposits. It has been reported that Respondent has, among others, a 300-sq. meter apartment in a posh Mega World Property development at the Fort in Taguig. Has he reported this, as he is constitutionally-required under Art. XI, Sec. 17 of the Constitution in his Statement of Assets and Liabilities and Net Worth (SALN)? Is this acquisition sustained and duly supported by his income as a public official? Since his assumption as Associate and subsequently, Chief Justice, has he complied with this duty of public disclosure?

ARTICLE III

RESPONDENT COMMITTED CULPABLE VIOLATIONS OF THE CONSTITUTION AND/OR BETRAYED THE PUBLIC TRUST BY FAILING TO MEET AND OBSERVE THE STRINGENT STANDARDS UNDER ART. VIII, SECTION 7 (3) OF THE CONSTITUTION THAT PROVIDES THAT “[A] MEMBER OF THE JUDICIARY MUST BE A PERSON OF PROVEN COMPETENCE, INTEGRITY, PROBITY, AND INDEPENDENCE” IN ALLOWING THE SUPREME COURT TO ACT ON MERE LETTERS FILED BY A COUNSEL WHICH CAUSED THE ISSUANCE OF FLIP-FLOPPING DECISIONS IN FINAL AND EXECUTORY CASES; IN CREATING AN EXCESSIVE ENTANGLEMENT WITH MRS. ARROYO THROUGH HER APPOINTMENT OF HIS WIFE TO OFFICE; AND IN DISCUSSING WITH LITIGANTS REGARDING CASES PENDING BEFORE THE SUPREME COURT.

ARTICLE IV

RESPONDENT BETRAYED THE PUBLIC TRUST AND/OR COMMITTED CULPABLE VIOLATION OF THE CONSTITUTION WHEN HE BLATANTLY DISREGARDED THE PRINCIPLE OF SEPARATION OF POWERS BY ISSUING A “STATUS QUO ANTE” ORDER AGAINST THE HOUSE OF REPRESENTATIVES IN THE CASE CONCERNING THE IMPEACHMENT OF THEN OMBUDSMAN MERCEDITAS NAVARRO-GUTIERREZ.

ARTICLE V

RESPONDENT BETRAYED THE PUBLIC TRUST THROUGH WANTON ARBITRARINESS AND PARTIALITY IN CONSISTENTLY DISREGARDING THE PRINCIPLE OF *RES JUDICATA* IN THE CASES INVOLVING THE 16 NEWLY-CREATED CITIES, AND THE PROMOTION OF DINAGAT ISLAND INTO A PROVINCE.

ARTICLE VI

RESPONDENT BETRAYED THE PUBLIC TRUST BY ARROGATING UNTO HIMSELF, AND TO A COMMITTEE HE CREATED, THE AUTHORITY AND JURISDICTION TO IMPROPERLY INVESTIGATE A JUSTICE OF THE SUPREME COURT FOR THE PURPOSE OF EXCULPATING HIM. SUCH AUTHORITY AND JURISDICTION IS PROPERLY REPOSED BY THE CONSTITUTION IN THE HOUSE OF REPRESENTATIVES *VIA* IMPEACHMENT.

ARTICLE VII

RESPONDENT BETRAYED THE PUBLIC TRUST THROUGH HIS PARTIALITY IN GRANTING A TEMPORARY RESTRAINING ORDER (TRO) IN FAVOR OF FORMER PRESIDENT GLORIA MACAPAGAL-ARROYO AND HER HUSBAND JOSE MIGUEL ARROYO IN ORDER TO GIVE THEM AN OPPORTUNITY TO ESCAPE PROSECUTION AND TO FRUSTRATE THE ENDS OF JUSTICE, AND IN DISTORTING THE SUPREME COURT DECISION ON THE EFFECTIVITY OF THE TRO IN VIEW OF A CLEAR FAILURE TO COMPLY WITH THE CONDITIONS OF THE SUPREME COURT'S OWN TRO.

ARTICLE VIII

RESPONDENT BETRAYED THE PUBLIC TRUST AND/OR COMMITTED GRAFT AND CORRUPTION WHEN HE FAILED AND REFUSED TO ACCOUNT FOR THE JUDICIARY DEVELOPMENT FUND (JDF) AND SPECIAL ALLOWANCE FOR THE JUDICIARY (SAJ) COLLECTIONS.¹

On December 26, 2011, petitioner filed his Answer² assailing the “blitzkrieg” fashion by which the impeachment complaint was signed by the Members of the HOR and immediately transmitted to the Senate. Citing previous instances when President Aquino openly expressed his rejection of petitioner’s appointment as Chief Justice and publicly attacked this Court under the leadership of petitioner for “derailing his administration’s mandate,” petitioner concluded that the move to impeach him was the handiwork of President Aquino’s party mates and supporters, including

¹ *Rollo*, pp. 60-62, 71-72. Sub-Paragraphs of other Articles omitted.

² *Id.* at 134-212.

“hidden forces” who will be benefited by his ouster. As to the charges against him, petitioner denied the same but admitted having once served the Offices of the President and Vice-President during the term of former President Gloria Macapagal-Arroyo and granted the request for courtesy call only to Mr. Dante Jimenez of the Volunteers Against Crime and Corruption (VACC) while Mr. Lauro Vizconde appeared with Mr. Jimenez without prior permission or invitation. Petitioner argued at length that the acts, misdeeds or offenses imputed to him were either false or baseless, and otherwise not illegal nor improper. He prayed for the outright dismissal of the complaint for failing to meet the requirements of the Constitution or that the Impeachment Court enter a judgment of acquittal for all the articles of impeachment.

Meanwhile, the prosecution panel composed of respondent Representatives held a press conference revealing evidence which supposedly support their accusations against petitioner. The following day, newspapers carried front page reports of high-priced condominium units and other real properties in Fort Bonifacio, Taguig and Quezon City allegedly owned by petitioner, as disclosed by prosecutors led by respondent Rep. Niel C. Tupas, Jr. The prosecution told the media that it is possible that these properties were not included by petitioner in his Statement of Assets, Liabilities and Net Worth (SALN) which had not been made available to the public. Reacting to this media campaign, Senators scolded the prosecutors reminding them that under the Senate Rules of Procedure on Impeachment Trials³ they are not allowed to make any public disclosure or comment regarding the merits of a pending impeachment case.⁴ By this time, five petitions have already been filed with this Court by different individuals seeking to enjoin the impeachment trial on grounds of improperly verified complaint and lack of due process.

On January 16, 2012, respondent Senate of the Philippines acting as an Impeachment Court, commenced trial proceedings against the petitioner.

³ Rule XVIII.

⁴ *Philippine Daily Inquirer*, January 5, 2012, Vol. 27, No. 28.

Petitioner's motion for a preliminary hearing was denied. On January 18, 2012, Atty. Enriqueta E. Vidal, Clerk of Court of this Court, in compliance with a subpoena issued by the Impeachment Court, took the witness stand and submitted the SALNs of petitioner for the years 2002 to 2010. Other prosecution witnesses also testified regarding petitioner's SALNs for the previous years (Marianito Dimaandal, Records Custodian of Malacañang Palace, Atty. Randy A. Rutaquio, Register of Deeds of Taguig and Atty. Carlo V. Alcantara, Acting Register of Deeds of Quezon City).

In compliance with the directive of the Impeachment Court, the prosecution and defense submitted their respective memoranda on the question of whether the prosecution may present evidence to prove the allegations in paragraphs 2.3 (failure to report some properties in SALN) and 2.4 (acquisition of ill-gotten wealth and failure to disclose in SALN such bank accounts with huge deposits and 300-sq.m. Megaworld property at the Fort in Taguig) under Article II (par. 2.2. refers to petitioner's alleged failure to disclose to the public his SALN as required by the Constitution).

On January 27, 2012, the Impeachment Court issued a Resolution⁵ which states:

IN SUM, THEREFORE, this Court resolves and accordingly rules:

1. To allow the Prosecution to introduce evidence in support of Paragraphs 2.2 and 2.3 of Article II of the Articles of Impeachment;
2. To disallow the introduction of evidence in support of Par. 2.4 of the Articles of Impeachment, with respect to which, this Court shall be guided by and shall rely upon the legal presumptions on the nature of any property or asset which may be proven to belong to the Respondent Chief Justice as provided under Section 8 of Republic Act No. 3019 and Section 2 of Republic Act No. 1379.

SO ORDERED.⁶

In a subsequent Resolution⁷ dated February 6, 2012, the Impeachment Court granted the prosecution's request for subpoena directed to the officers

⁵ *Rollo*, pp. 354-360.

⁶ *Id.* at 360.

⁷ *Id.* at 361-368.

of two private banks where petitioner allegedly deposited millions in peso and dollar currencies, as follows:

WHEREFORE, IN VIEW OF THE FOREGOING, the majority votes to grant the Prosecution's Requests for Subpoenae to the responsible officers of Philippine Savings Bank (PSBank) and Bank of the Philippine Island (BPI), for them to testify and bring and/or produce before the Court documents on the alleged bank accounts of Chief Justice Corona, only for the purpose of the instant impeachment proceedings, as follows:

- a) The Branch Manager of the Bank of Philippine Islands, Ayala Avenue Branch, 6th Floor, SGV Building, 6758 Ayala Avenue, Makati City, is commanded to bring before the Senate at 2:00 p.m. on February 8, 2012, the original and certified true copies of the account opening forms/documents for Bank Account no. 1445-8030-61 in the name of Renato C. Corona and the bank statements showing the balances of the said account as of December 31, 2005, December 31, 2006, December 31, 2007, December 31, 2008, December 31, 2009 and December 31, 2010.
- b) The Branch Manager (and/or authorized representative) of Philippine Savings Bank, Katipunan Branch, Katipunan Avenue, Loyola Heights, Quezon City, is commanded to bring before the Senate at 2:00 p.m. on February 8, 2012, the original and certified true copies of the account opening forms/documents for the following bank accounts allegedly in the name of Renato C. Corona, and the documents showing the balances of the said accounts as of December 31, 2007, December 31, 2008, December 31, 2009 and December 31, 2010:

089-19100037-3
089-13100282-6
089-121017358
089-121019593
089-121020122
089-121021681
089-141-00712-9
089-141-00746-9
089-14100814-5
089-121-01195-7

SO ORDERED.⁸

On February 8, 2012, PSBank filed a petition for certiorari and prohibition (**G.R. No. 200238**) seeking to enjoin the Impeachment Court and the HOR prosecutors from implementing the aforesaid subpoena requiring PSBank thru its authorized representative to testify and to bring the original and certified true copies of the opening documents for petitioner's

⁸ Id. at 366-367.

alleged foreign currency accounts, and thereafter to render judgment nullifying the subpoenas including the bank statements showing the year-end balances for the said accounts.

On the same day, the present petition was filed arguing that the Impeachment Court committed grave abuse of discretion amounting to lack or excess of jurisdiction when it: (1) proceeded to trial on the basis of the complaint filed by respondent Representatives which complaint is constitutionally infirm and defective for lack of probable cause; (2) did not strike out the charges discussed in Art. II of the complaint which, aside from being a “hodge-podge” of multiple charges, do not constitute allegations in law, much less ultimate facts, being all premised on suspicion and/or hearsay; assuming *arguendo* that the retention of Par. 2.3 is correct, the ruling of the Impeachment Court to retain Par. 2.3 effectively allows the introduction of evidence under Par. 2.3, as vehicle to prove Par. 2.4 and therefore its earlier resolution was nothing more than a hollow relief, bringing no real protection to petitioner; (3) allowed the presentation of evidence on charges of alleged corruption and unexplained wealth which violates petitioner’s right to due process because *first*, Art. II does not mention “graft and corruption” or unlawfully acquired wealth as grounds for impeachment, and *second*, it is clear under Sec. 2, Art. XI of the Constitution that “graft and corruption” is a separate and distinct ground from “culpable violation of the Constitution” and “betrayal of public trust”; and (4) issued the subpoena for the production of petitioner’s alleged bank accounts as requested by the prosecution despite the same being the result of an illegal act (“fruit of the poisonous tree”) considering that those documents submitted by the prosecution violates the absolute confidentiality of such accounts under Sec. 8 of R.A. No. 6426 (Foreign Currency Deposits Act) which is also penalized under Sec. 10 thereof.

Petitioner thus prayed for the following reliefs:

- (a) Immediately upon filing of this Petition, issue a temporary restraining order or a writ of preliminary injunction enjoining: (i) the proceedings before the Impeachment Court; (ii) implementation of

Resolution dated 6 February 2012; (iii) the officers or representatives of BPI and PSBank from testifying and submitting documents on petitioner's or his family's bank accounts; and (iv) the presentation, reception and admission of evidence on paragraphs 2.3 and 2.4 of the Impeachment Complaint;

(b) After giving due course to the Petition, render judgment:

(i) Declaring the Impeachment Complaint null and void *ab initio*;

(ii) Prohibiting the presentation, reception and admission of evidence on paragraphs 2.3 and 2.4 of the Impeachment Complaint;

(iii) Annulling the Impeachment Court's Resolution dated 27 January 2012 and 6 February 2011 [*sic*], as well as any Subpoenae issued pursuant thereto; and

(iv) Making the TRO and/or writ of preliminary injunction permanent.

Other reliefs, just or equitable, are likewise prayed for.⁹

Petitioner also sought the inhibition of Justices Antonio T. Carpio and Maria Lourdes P. A. Sereno on the ground of partiality, citing their publicly known "animosity" towards petitioner aside from the fact that they have been openly touted as the likely replacements in the event that petitioner is removed from office.¹⁰

On February 9, 2012, this Court issued a TRO in G.R. No. 200238 enjoining the Senate from implementing the Resolution and *subpoena ad testificandum et duces tecum* issued by the Senate sitting as an Impeachment Court, both dated February 6, 2012. The Court further resolved to deny petitioner's motion for the inhibition of Justices Carpio and Sereno "in the absence of any applicable compulsory ground and of any voluntary inhibition from the Justices concerned."

On February 13, 2012, petitioner filed a Supplemental Petition¹¹ claiming that his right to due process is being violated in the ongoing impeachment proceedings because certain Senator-Judges have lost the cold

⁹ Id. at 46-47.

¹⁰ Id. at 3-6.

¹¹ Id. at 378-425.

neutrality of impartial judges by acting as prosecutors. Petitioner particularly mentioned Senator-Judge Franklin S. Drilon, whose inhibition he had sought from the Impeachment Court, to no avail. He further called attention to the fact that despite the Impeachment Court's January 27, 2012 Resolution which disallowed the introduction of evidence in support of paragraph 2.4 of Article II, from which no motion for reconsideration would be entertained, "the allies of President Aquino in the Senate abused their authority and continued their presentation of evidence for the prosecution, without fear of objection". In view of the persistent efforts of President Aquino's Senator-allies to overturn the ruling of Presiding Officer Juan Ponce Enrile that the prosecution could not present evidence on paragraph 2.4 of Article II -- for which President Aquino even thanked "his senator allies in delivering what the prosecution could not"-- petitioner reiterates the reliefs prayed for in his petition before this Court.

In the Comment *Ad Cautelam Ex Superabundanti*¹² filed on behalf of the respondents, the Solicitor General argues that the instant petition raises matters purely political in character which may be decided or resolved only by the Senate and HOR, with the manifestation that the comment is being filed by the respondents "without submitting themselves to the jurisdiction of the Honorable Supreme Court and without conceding the constitutional and exclusive power of the House to initiate all cases of impeachment and of the Senate to try and decide all cases of impeachment." Citing the case of *Nixon v. United States*,¹³ respondents contend that to allow a public official being impeached to raise before this Court any and all issues relative to the substance of the impeachment complaint would result in an unnecessarily long and tedious process that may even go beyond the terms of the Senator-Judges hearing the impeachment case. Such scenario is clearly not what the Constitution intended.

Traversing the allegations of the petition, respondents assert that the Impeachment Court did not commit any grave abuse of discretion; it has, in

¹² Id. at 973-1023.

¹³ 506 U.S. 224 (1993).

fact, been conducting the proceedings judiciously. Respondents maintain that subjecting the ongoing impeachment trial to judicial review defeats the very essence of impeachment. They contend that the constitutional command of public accountability to petitioner and his obligation to fully disclose his assets, liabilities and net worth prevail over his claim of confidentiality of deposits; hence, the subpoena subject of this case were correctly and judiciously issued. Considering that the ongoing impeachment proceedings, which was initiated and is being conducted in accordance with the Constitution, simply aims to enforce the principle of public accountability and ensure that the transgressions of impeachable public officials are corrected, the injury being claimed by petitioner allegedly resulting from the impeachment trial has no factual and legal basis. It is thus prayed that the present petition, as well as petitioner's prayer for issuance of a TRO/preliminary injunction, be dismissed.

The core issue presented is whether the certiorari jurisdiction of this Court may be invoked to assail matters or incidents arising from impeachment proceedings, and to obtain injunctive relief for alleged violations of right to due process of the person being tried by the Senate sitting as Impeachment Court.

Impeachment and Judicial Review

Impeachment, described as “the most formidable weapon in the arsenal of democracy,”¹⁴ was foreseen as creating divisions, partialities and enmities, or highlighting pre-existing factions with the greatest danger that “the decision will be regulated more by the comparative strength of parties, than by the real demonstrations of innocence or guilt.”¹⁵ Given their concededly political character, the precise role of the judiciary in impeachment cases is a matter of utmost importance to ensure the effective

¹⁴ Edward S. Corwin, cited in *Judicial Review of Impeachment: The Judicialization of Philippine Politics* by Franco Aristotle G. Larcina, University of Santo Tomas (UST) Law Review, Vol. L, AY 2005-2006.

¹⁵ THE FEDERALIST PAPERS No. 65, Alexander Hamilton, accessed at <http://usgovinfo.about.com/library/fed/blfed65.htm>.

functioning of the separate branches while preserving the structure of checks and balance in our government. Moreover, in this jurisdiction, the acts of any branch or instrumentality of the government, including those traditionally entrusted to the political departments, are proper subjects of judicial review if tainted with grave abuse or arbitrariness.

Impeachment refers to the power of Congress to remove a public official for serious crimes or misconduct as provided in the Constitution. A mechanism designed to check abuse of power, impeachment has its roots in Athens and was adopted in the United States (US) through the influence of English common law on the Framers of the US Constitution.

Our own Constitution's provisions on impeachment were adopted from the US Constitution. Petitioner was impeached through the mode provided under Art. XI, par. 4, Sec. 3, in a manner that he claims was accomplished with undue haste and under a complaint which is defective for lack of probable cause. Petitioner likewise assails the Senate in proceeding with the trial under the said complaint, and in the alleged partiality exhibited by some Senator-Judges who were apparently aiding the prosecution during the hearings.

On the other hand, respondents contend that the issues raised in the Supplemental Petition regarding the behavior of certain Senator-Judges in the course of the impeachment trial are issues that do not concern, or allege any violation of, the three express and exclusive constitutional limitations on the Senate's sole power to try and decide impeachment cases. They argue that unless there is a clear transgression of these constitutional limitations, this Court may not exercise its power of expanded judicial review over the actions of Senator-Judges during the proceedings. By the nature of the functions they discharge when sitting as an Impeachment Court, Senator-Judges are clearly entitled to propound questions on the witnesses, prosecutors and counsel during the trial. Petitioner thus failed to prove any semblance of partiality on the part of any Senator-Judges. But whether the

Senate Impeachment Rules were followed or not, is a political question that is not within this Court's power of expanded judicial review.

In the first impeachment case decided by this Court, *Francisco, Jr. v. Nagsamalasakit na mga Manananggol ng mga Manggagawang Pilipino, Inc.*¹⁶ we ruled that the power of judicial review in this jurisdiction includes the power of review over justiciable issues in impeachment proceedings. Subsequently, in *Gutierrez v. House of Representatives Committee on Justice*,¹⁷ the Court resolved the question of the validity of the simultaneous referral of two impeachment complaints against petitioner Ombudsman which was allegedly a violation of the due process clause and of the one-year bar provision.

On the basis of these precedents, petitioner asks this Court to determine whether respondents committed a violation of the Constitution or gravely abused its discretion in the exercise of their functions and prerogatives that could translate as lack or excess of jurisdiction, which would require corrective measures from the Court.

Mootness

In the meantime, the impeachment trial had been concluded with the conviction of petitioner by more than the required majority vote of the Senator-Judges. Petitioner immediately accepted the verdict and without any protest vacated his office. In fact, the Judicial and Bar Council is already in the process of screening applicants and nominees, and the President of the Philippines is expected to appoint a new Chief Justice within the prescribed 90-day period from among those candidates shortlisted by the JBC. Unarguably, the constitutional issue raised by petitioner had been mooted by supervening events and his own acts.

An issue or a case becomes moot and academic when it ceases to

¹⁶ G.R. Nos. 160261, November 10, 2003, 415 SCRA 44.


¹⁷ G.R. No. 193459, February 15, 2011, 643 SCRA 199.

present a justiciable controversy so that a determination thereof would be without practical use and value.¹⁸ In such cases, there is no actual substantial relief to which the petitioner would be entitled to and which would be negated by the dismissal of the petition.¹⁹


WHEREFORE, the present petition for certiorari and prohibition with prayer for injunctive relief/s is **DISMISSED** on the ground of **MOOTNESS**.


No pronouncement as to costs.


SO ORDERED.


MARTIN S. VILLARAMA, JR.
Associate Justice

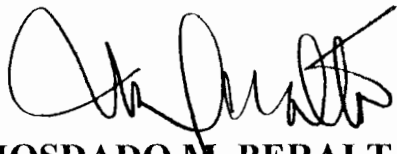
WE CONCUR:


ANTONIO T. CARPIO
Senior Associate Justice


(No Part)
PRESBITERO J. VELASCO, JR.
Associate Justice

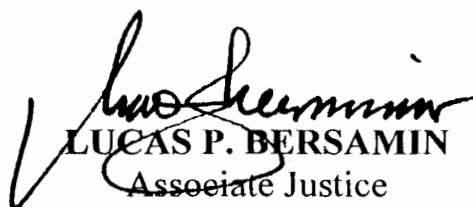

TERESITA J. LEONARDO-DE CASTRO
Associate Justice


(On leave)
ARTURO D. BRION
Associate Justice

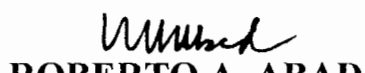

DIOSDADO M. PERALTA
Associate Justice

¹⁸ *Philippine Airlines, Inc. v. Pascua*, G.R. No. 143258, August 15, 2003, 409 SCRA 195, 202.


¹⁹ *Vda. de Dabao v. Court of Appeals*, G.R. No. 116526, March 23, 2004, 426 SCRA 91, 97.

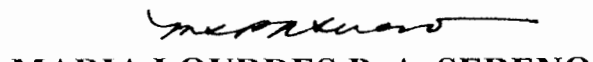

LUCAS P. BERSAMIN
 Associate Justice


 (No Part)
MARIANO C. DEL CASTILLO
 Associate Justice



ROBERTO A. ABAD
 Associate Justice


JOSE PORTUGAL PEREZ
 Associate Justice


JOSE CATAL MENDOZA
 Associate Justice



MARIA LOURDES P. A. SERENO
 Associate Justice


BIENVENIDO L. REYES
 Associate Justice


ESTELA M. PERLAS-BERNABE
 Associate Justice

CERTIFICATION

I certify that the conclusions in the above Resolution had been reached in consultation before the case was assigned to the writer of the opinion of the Court.


ANTONIO T. CARPIO
 Senior Associate Justice
 (Per Section 12, R.A. 296,
 The Judiciary Act of 1948, as amended)