

SECOND DIVISION

[A.M. No. P-09-2632, June 18, 2010]

**OFFICE OF THE COURT ADMINISTRATOR, COMPLAINANT, VS.
CRISTITA L. CAYA, RECORDS OFFICER I, AND RHODORA A.
RANTAEL, CASHIER I, BOTH FROM THE OFFICE OF THE CLERK OF
COURT, METROPOLITAN TRIAL COURT, MANDALUYONG CITY,
RESPONDENTS.**

D E C I S I O N

CARPIO, J.:

The Case

This administrative case arose from an Affidavit-Complaint dated 4 July 2008 filed by Cristita L. Caya (Caya), Records Officer I, Office of the Clerk of Court, Metropolitan Trial Court (MeTC), Mandaluyong City, Branch 60, against Rhodora A. Rantael (Rantael), Cashier I of the same court, for conduct unbecoming a court employee, violation of the Code of Conduct and Ethical Standard for public officials and employees, oppression and gross violence against a co-employee.

The Facts

In her Affidavit-Complaint dated 4 July 2008 submitted to the Office of the Court Administrator (OCA), complainant Caya narrated that on 17 December 2007, while in the vicinity of the MeTC, she was surprised when she heard Rantael quarreling with a judge on the telephone. A co-employee, Joan Yerro, grabbed the phone from Rantael in order to prevent the situation from worsening. Rantael, for no apparent reason, aired out her anger at Caya by shouting her name and throwing abusive and cursing words at her. The situation escalated when Rantael grabbed Caya by the hair and dragged her outside the office while taunting her to fight. As a result, Caya sustained physical injuries and emotional stress.

In support of her complaint, Caya attached: (1) the Medical Certificate dated 22 January 2008 of the attending physician who examined her for her physical injuries; (2) the incident report she filed with the Mandaluyong City Police Station; (3) the *Sinumpaang Salaysay* dated 28 January 2008 and 31 January 2008, respectively, of Myrna G. Galope (Galope) and Ma. Lourdes G. Rodriguez, witnesses to the incident; and (4) the Supplementary Affidavit dated 4 July 2008 of Galope stating that Rantael admitted to her the reason for her actions.

In her Comment dated 6 August 2008, Rantael disclosed that the incident was triggered by the gossip spread around by Caya and Arden Magsombol-Raxiosa (Raxiosa), the Branch Clerk of Court of MeTC, Mandaluyong City, Branch 59, about Judge Myrna Lim-Verano (Judge Verano) of the Regional Trial Court, Muntinlupa City, Branch 205. Rantael's husband worked at the same court as Judge Verano and

allegedly Caya and Raxiosa made it appear that Rantael and her husband were spreading ugly rumors about Judge Verano.

Rantael admitted conversing with Judge Verano over the telephone on 18 December 2007, not 17 December 2007 as alleged in Caya's affidavit-complaint. Judge Verano apparently heard the rumors and accused Rantael as the source. Rantael denied the allegation and pointed to Caya as the real source of the gossip.

Rantael acknowledged that she uttered invectives at Caya because she felt hurt and wanted to do something about it. Rantael denied that she initiated the physical assault but instead alleged that she only fought back by pulling Caya's hair after Caya slapped her on the face.

In her Reply dated 18 August 2008, Caya stated that Rantael's Comment only confirmed the truth of the charges in the complaint that Rantael verbally abused and physically assaulted her. Caya denied that she slapped Rantael on the face.

Meanwhile, Caya filed a criminal complaint for slander and physical injuries with the Office of the City Prosecutor (OCP) in Mandaluyong. In a Resolution dated 22 February 2008, the OCP indorsed the complaint to the OCA since the parties are both court personnel and the incident took place inside court premises. Thus, the OCP deemed it proper to refer the case to the Court to give due respect and recognition to the administrative authority of the Court over its employees.

In a Letter dated 26 June 2008 addressed to the OCA, Caya questioned the OCP's resolution and requested that the referral be set aside and the criminal case be resolved based on the merits.

The OCA's Report and Recommendation

On 20 March 2009, the OCA submitted its Report finding both Caya and Rantael at fault for the incident which occurred within the confines of the MeTC. The OCA declared that Caya and Rantael admitted to trading verbal barbs and inflicting physical injuries on each other without due regard to the consequences of their actions. Thus, regardless of who between the two started the quarrel, such incident sullied the image of the judiciary.

With regard to the criminal complaint for slander and physical injuries filed by Caya with the OCP, the OCA found that the referral of the case to the Court was not in accord with established jurisprudence, citing the case of *Maceda v. Vasquez*.^[1] The OCA stated that the mere fact that the parties involved in the criminal case were court personnel does not *ipso facto* divest the OCP of authority to hear said case. The OCP can still proceed with the criminal aspect of the incident while the Court can hold them administratively liable for violating existing court circulars and guidelines.

The OCA recommended that:

- (1) the instant administrative matter be RE-DOCKETED as a regular administrative case against both Cristita L. Caya, Office of the Clerk of

Court, Metropolitan Trial Court, Mandaluyong City, and respondent Rhodora A. Rantael, Cashier I of the same office;

(2) Cristita L. Caya and Rhodora A. Rantael be FOUND GUILTY of misconduct and FINED in the amount of one thousand pesos (Php 1,000.00) each, with a warning that a repetition of the same or similar act in the future shall be dealt with more severely; and

(3) the Office of the City Prosecutor of Mandaluyong City be DIRECTED to proceed with the hearings on the criminal complaint for Slander and Physical Injuries filed by Cristita Caya against Rhodora Rantael.

In a Resolution dated 22 April 2009, the Court resolved to note the affidavit-complaint, comment and reply submitted by the parties; to re-docket the instant administrative matter as a regular administrative case against both complainant Caya and respondent Rantael; and to note the Report dated 20 March 2009 of the OCA.

Caya filed an Omnibus Motion dated 27 June 2009 for reconsideration of the Resolution dated 22 April 2009 and for the formal investigation of the complaint. Caya stated that she was surprised that the resolution re-docketed the case and made her a respondent in the administrative complaint together with Rantael against whom she initially filed said complaint. Caya asked that she be dropped from the case as a respondent and Rantael be disciplined and sanctioned accordingly. Caya also requested for a formal investigation to determine the culpability of the parties and to allow her and her witnesses to substantiate the complaint.

In her Comment/Opposition to the Omnibus Motion dated 15 July 2009, Rantael prayed that the Omnibus Motion be denied for being bare, unsubstantiated and self-serving and that she be dismissed as a respondent in the case or in the alternative that a formal investigation and hearing be conducted.

In a Resolution dated 27 July 2009, the Court referred the omnibus motion for reconsideration and the comment/opposition to the OCA for evaluation, report and recommendation.

On 25 August 2009, the OCA submitted its Report recommending that:

(1) the Omnibus Motion, dated 27 June 2009, of Cristita L. Caya seeking a reconsideration of the Resolution, dated 22 April 2009, and for a formal investigation of the complaint, be DENIED for lack of sufficient basis;

(2) that Cristita L. Caya and Rhodora A. Rantael, both of the Metropolitan Trial Court, Office of the Clerk of Court, Mandaluyong City, be FOUND GUILTY of Simple Misconduct and FINED in the amount of One Thousand Pesos (Php 1,000.00) each, with warning that a repetition of the same or similar acts in the future shall be dealt with more severely; and