

EN BANC

[A.M. No. RTJ-00-1526, June 03, 2004]

OFFICE OF THE COURT ADMINISTRATOR, PETITIONER, VS. JUDGE FRANKLIN A. VILLEGAS, RESPONDENT.

R E S O L U T I O N

CORONA, J.:

Before this Court is an administrative complaint initiated by Dr. Fe Yabut against Judge Franklin A. Villegas of the Regional Trial Court (RTC) of Pagadian City, Branch 19.

In an undated letter received by the Office of the Court Administrator (OCA) on January 5, 1999, Dr. Yabut complained of the delay in the disposition of Civil Case No. 1576 pending before Judge Villegas of the RTC-Pagadian City. The case was filed in 1976 by Romeo Alcantara against spouses Norberto and Fe Yabut for reconveyance of agricultural properties situated in Pagadian City. It was originally assigned to the then Court of First Instance of Zamboanga del Sur and Pagadian City presided by Judge Asali S. Isnani. On August 22, 1984, respondent judge took over the case after Judge Isnani's demise. But after almost 15 years, Judge Villegas had yet to finish the trial of the case and render his decision thereon. This prompted Dr. Yabut to bring the matter to this Court's attention.

Acting on the letter of Dr. Yabut, then Court Administrator Alfredo L. Benipayo twice required Judge Villegas to comment on the allegations against him, first on February 9, 1999 and then on August 13, 1999. However, Judge Villegas failed to file his comment. Thus, on January 18, 2000, the Court *en banc* ordered Judge Villegas to answer the complaint and show cause why no disciplinary action should be taken against him for not complying with the directives of the OCA. Still he filed no answer.

On August 8, 2000, respondent judge was fined by this Court in the amount of P1,000 for his continued failure to comply with its resolution. This fine was increased to P2,000 in a resolution dated January 16, 2001.

On March 29, 2001, the Court received a letter from respondent judge seeking its indulgence for his failure to comply with the resolution dated January 18, 2000. He stressed that he had no intention of disregarding the Court's directive. He explained that his vision in both eyes started deteriorating since the late 1980's and, despite the treatments and laser operations, his vision did not improve. As a result, he encountered much difficulty reading without the assistance of his clerks. He also enclosed postal money orders in the amount of P2,000 as payment of the fine previously imposed upon him. He further requested an extension of ten days from April 2, 2001 within which to file his comment on the complaint.

However, it was only on December 12, 2003 that respondent judge filed his comment. He reasoned that the delay in the disposition of Civil Case No. 1576 was brought about by postponements initiated by both parties, failure to transcribe the testimonies of vital witnesses due to the court stenographer's^[1] death, and negotiations between the parties for an amicable settlement. Likewise, he implored the Court's mercy for the long delay in filing his comment.

In compliance with the resolution of the Court en banc dated January 27, 2004, the Office of the Court Administrator filed its reply on March 11, 2004.

The noble office of a judge is to render justice not only impartially but expeditiously as well, for delay in the disposition of cases erodes the faith and confidence of our people in the judiciary, lowers its standards and brings it into disrepute.^[2] Thus, Canon 3, Rule 3.05 of the Code of Judicial Conduct requires judges to dispose of the court's business promptly and decide cases within the period specified in Section 15 (1) (2), Article VIII of the Constitution, that is, three months from the filing of the last pleading, brief or memorandum. We have consistently held that the failure of a judge to decide a case within the said prescribed period is inexcusable and constitutes gross inefficiency.^[3]

We find the explanation of Judge Villegas to be completely unsatisfactory. It deserves scant consideration. Incidents such as the numerous postponements of hearings, non-submission of the transcript of stenographic notes (TSN) and the possibility of an amicable settlement between the parties are not reasonable justifications for failing to dispose of a case and render a decision within the prescribed period.

Worse, respondent judge defied two directives of the OCA and six resolutions of this Court requiring him either to file his comment or to show cause. Assuming his visual difficulty to be true, respondent judge admitted that he was in fact being assisted by his clerks in attending to his paperwork. We thus find it improbable that such serious orders of this Court and the OCA could have escaped his or his clerks' notice. No sufficient justification therefore existed for his failure to comply with the directives of this Court. As the Court Administrator stated:

Respondent judge ought to be reminded that a resolution of this Court requiring comment on an administrative complaint against officials and employees of the Judiciary is not to be construed as a mere request from this Court. On the contrary, respondents in administrative cases are to take such resolutions seriously by commenting on all accusations or allegations against them as it is their duty to preserve the integrity of the judiciary. The Supreme Court can hardly discharge its constitutional mandate of overseeing judges and court personnel and taking proper administrative sanction against them if the judge or personnel concerned does not even recognize its administrative authority.^[4]

Clearly, Judge Villegas' contumacious conduct and blatant disregard of the Court's mandate for more than three years amounted to studied defiance and downright insubordination.

A magistrate's (1) delay in rendering a decision or order and (2) failure to comply with this Court's rules, directives and circulars constitute less serious offenses under