

**[ ADMINISTRATIVE ORDER NO. 330, May 24, 1972 ]**

**IN RE ADMINISTRATIVE CASE AGAINST FORMER MUNICIPAL  
JUDGE MANUEL E. PABLO OF MIDSAYAP, COTABATO**

This refers to the administrative case against Municipal Judge Manuel E. Pablo of Midsayap, Cotabato, since retired, filed by Francisco U. Darantinao Jr. for irregularities in certain criminal cases of his court.

The formal investigation of the case by District Judge Jesus V. Occeña of the Court of First Instance of Cotabato was discontinued, as respondent was then about, to reach the compulsory retirement age of 70 on August 12, 1971. The Judge recommended that the respondent be allowed to retire, if retirable and with honor, as it would be unfair to forfeit his retirement benefits for his long years of service and by his retirement he could no longer cause prejudice. However, the Secretary of Justice disagreed with the Investigating Judge and submitted his findings and recommendation on September 14, 1971. Upon respondent's request, the case was returned to the Department of Justice which, in turn, directed the Investigating Judge to proceed with the formal investigation of the case until its completion so as to give respondent the opportunity to cross-examine the witnesses against him and to present his side of the case.

Respondent is specifically charged with (1) docketing the complaint in Criminal Case No. 2779 (for false testimony) without any supporting affidavit; (2) sentencing the accused in Criminal Case No. 2317 (for homicide over which he had no jurisdiction; (3) ordering the imprisonment of the accused in a case for civil liability for damages; (4) issuing a warrant of arrest in a certain civil case; and (5) docketing Criminal Case No. 2721 (for perjury) committed outside the territorial jurisdiction of his court.

In his memorandum to Judge Occeña dated January 13, 1972, respondent explains that (1) the acceptance and docketing of Criminal Case No. 2779 was merely an exercise of judicial discretion and was properly supported by affidavits prepared by the complainant, which became the basis thereof; (2) he erred in sentencing the accused in Criminal Case No. 2317 (for homicide), but in utmost good faith believing that he had the authority to act as he did and without the slightest intent to cause harm or injury to anyone or to defeat the ends of justice; (3) the imprisonment of the accused was for contempt of court due to his disrespectful and contemptuous remarks; (4) the warrant of arrest against the accused in Civil Case No. 148 (for forcible entry and damages with preliminary injunction) was issued for contempt of court, in view of their defiance of his summons to perfect their appeal by posting the required bail bond; and (5) the filing of Criminal Case No. 2721 was the responsibility of the chief of police who testified that he overlooked the fact that the offense was committed in Pagalungan, Cotabato, after the case was investigated by police investigators.