

**[ ADMINISTRATIVE ORDER NO. 171, December  
07, 1951 ]**

**REMOVING MR. CORNELIO S. RUPERTO FROM OFFICE AS  
ASSISTANT FISCAL OF THE CITY OF MANILA**

This is an administrative case against Mr. Cornelio S. Ruperto, assistant fiscal of the City of Manila, for (1) disloyalty to the service, (2) partiality, (3) favoritism, (4) violation of oath of office as government employee and as attorney, and (5) acquisition of extensive real estate properties beyond his income. The charges were investigated by the Integrity Board before which respondent was given full opportunity to be heard in his defense.

After going over the record, I find that the charges, except those of partiality and favoritism, have not been duly substantiated. The evidence sufficiently establishes, however, that respondent has not shown fairness and impartiality in his official actuations. This finding is borne out by his filing, at the instance one Flor Mayor, of a libel case against herein complainant, Conrado Teodoro, Sr., who was acquitted for insufficiency of the evidence; by the institution of contempt proceedings against Teodoro and two detectives only to be withdrawn by complainant-movant Flor Mayor herself; by the dropping of the estafa case filed by Teodoro, and the charges of libel, slander and trespass to dwelling presented by Evangelina Rabanzo, alleged sweetheart of Conrado Teodoro, Jr., against Flor Mayor who had a frustrated courtship with the younger Teodoro; by his vigorous opposition to the reduction of Teodoro's bail in the libel suit despite the favorable recommendation of the City Fiscal; and by the filing of an information for inciting to rebellion against Jose Matibag and others, which was dismissed by the court for failure of the prosecution to establish even a prima facie case.

Respondent's biased actuations were motivated by the close friendship between Nurse Flor Mayor and the wife of Colonel Raymundo Natividad, respondent's guerrilla leader, who was attended to by her while the latter was confined in the Philippine General Hospital and after his discharge therefrom, and some kind of personal resentment he and Colonel Natividad evidently harbored against Matibag. It also appears that a couple of months after the termination of the hearing of this administrative case and the submission of his memorandum, respondent filed with the Court of First Instance of Manila special proceedings No. 13694 for a writ of certiorari with preliminary injunction against the chairman and members of the Integrity Board, wherein he alleged, among other things, that the Board proceeded with the hearing of his case over and above his timely and repeated objection to its jurisdiction. The truth of the matter however, is that he never at any time in the course of the protracted hearing of his case, nor even in his aforesaid memorandum, challenged, but willingly submitted to, the jurisdiction of the Board. Neither did he question, as he later did in his court petition, the right or qualifications of the chairman and members of the Board and the legality of its creation. Due to his malicious, distorted and misleading statements, the court was inveigled into issuing