

FIRST DIVISION

[**A.M. No. MTJ-04-1546 (Formerly OCA IPI No. 02-1302-MTJ), July 29, 2005**]

SPS. ANGEL AND FELINA DUMAUA, COMPLAINANTS, VS. JUDGE ANGERICO B. RAMIREZ, MUNICIPAL CIRCUIT TRIAL COURT, GAMU, ISABELA, RESPONDENT.

R E S O L U T I O N

QUISUMBING, J.:

Before us is the administrative complaint filed by Sps. Angel and Felina Dumaua against Judge Angerico B. Ramirez, Municipal Circuit Trial Court (MCTC), Gamu, Isabela, for undue delay in resolving complainants' motion for execution of judgment in Civil Case Nos. 745 and 750.

Complainants were the plaintiffs in an ejectment case, docketed as Civil Case No. 745, and they were the defendants in a claim for ownership and action for reconveyance docketed as Civil Case No. 750. Since the cases involve the same land situated at Guibang, Gamu, Isabela, the two cases were consolidated.

On March 8, 2001, respondent judge rendered a **Decision**^[1] disposing the consolidated cases in favor of the Sps. Dumaua. Thereafter, complainants filed a **Motion for Execution of Judgment**. However, the scheduled hearings for the motion were cancelled four times due to absences of the respondent judge. Consequently, they sought the assistance of Judge Juan Bigornia, Jr., Executive Judge, Regional Trial Court (RTC), Branch 18, Ilagan, Isabela.

In a letter^[2] to Judge Bigornia, dated April 2, 2002, complainants averred that respondent judge has not acted on their motion for execution of judgment. Judge Bigornia directed the respondent judge to comment on the letter but to no avail. He further required respondent judge to inform him whether an order had been issued concerning the motion for execution of judgment.^[3] Respondent judge did not respond, prompting herein complainants to file an administrative complaint^[4] before this Court through the Office of the Court Administrator.

Acting on the complaint, Court Administrator Presbitero J. Velasco, Jr. directed respondent judge to comment on the complaint against him.

In his **Comment**,^[5] respondent judge stated that the motion for execution of judgment was granted in an Order, dated July 6, 2001, and that a corresponding writ of execution was issued on December 27, 2002. However, respondent judge did not explain the reason for the delay in the issuance of the writ of execution.

The Court Administrator recommended that respondent judge be fined P5,000 for