

SECOND DIVISION

[A.M. No. MTJ-99-1229, October 22, 1999]

**ROSARIO GARCIA, COMPLAINANT, VS. JUDGE PIO PASIA,
MUNICIPAL TRIAL COURT, SAN LUIS, BATANGAS, RESPONDENT.**

D E C I S I O N

MENDOZA, J.:

This is an administrative complaint filed by complainant Rosario U. Garcia against respondent Judge Pio Pasia of the Municipal Trial Court, San Luis, Batangas, for allegedly rendering a manifestly unjust judgment. Sun Chemicals Corporation, of which complainant is the acting vice president, was the defendant in an ejectment suit (Civil Case No. 93-9) before the Municipal Trial Court, Branch 11, San Pedro, Laguna, then presided over by Judge Pasia. In his decision dated May 5, 1995, Judge Pasia ruled in favor of the plaintiffs, spouses Moises and Esperanza dela Rosa.

The complainant in this case alleges that:

All we were asking for in said case is for a reasonable period of time after the abrupt expiration of our lease contract within which to wind up our business operations and vacate and remove our improvements in the land consisting primarily of a perlite processing plant valued more than P5,000,000.00. But this is all water under the bridge so to speak, because we have now vacated the premises without waiting for the grant of our requested winding up period.

The sad part which raises our blood pressure against the judge is his disposition compelling us to pay, believe it or not, a whopping P50,000.00 a month when the rental under the lease contract is only P4,000.00 a month! This disposition of the judge in the dispositive portion of his decision, has no support whatsoever in the body of the decision. Definitely something is rotten in Denmark!

To our mind, this is a form of judicial extortion!

What is worse is that said decision rendered without any hearing whatsoever in a so-called summary proceeding is being executed pending our appeal by a Mr. Ireneo S. Paz, a laborer in the plantilla of personnel in the municipality of Binan, Laguna, detailed to the RTC, Br. I in Binan, Laguna, and tolerated to perform the duties of a sheriff who bullied us around. This abusive laborer has levied on our machineries valued at about P2,000,000.00, including certain machines we have borrowed belonging to other people valued at about P1,000,000.00. We have filed criminal charges of Usurpation of Authority or Official Functions against this fake sheriff who is not only a disgrace to the judiciary but also to the government as a whole.