

CONSTITUTIONAL LAW 2 SYLLABUS

WEEK 1

CHAPTER I

PREAMBLE TO CONSTITUTIONAL LAW 2

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- 1.2. *Constitutional Law 2*

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1. *Secretary of Justice v. Lantion, GR 139465. Jan. 18, 2000, 322 SCRA 160*
- 2.1. *The fundamental powers of the State*
 2. *City Government of Quezon City v. Ericta, GR L-34915 June 24, 1983, 122 SCRA 759*
- 2.2. *Similarities among the State powers*
- 2.3. *Differences among the State powers*
 - A. **POLICE POWER**
 3. *Binay v. Domingo, GR 92389, Sep. 11, 1991, 201 SCRA 508*
 4. *Rubi v. Provincial Board of Mindoro, GR 14078. Mar. 7, 1919, 39 Phil., 660*
 5. *U.S. v. Ling Su Fan., GR 3962. Feb. 10, 1908, 10 Phil., 104*
 - 2.4. *Basis of police power*
 6. *JMM Promotion and Management, Inc. v. CA, GR 120095. Aug. 5, 1996, 260 SCRA 319*
 7. *U.S. v. Pompeya., GR 10255. Aug. 6, 1915, 31 Phil. 245*
 - 2.5. *Police power as justification for governmental acts*
 8. *Roxas & Co., Inc. v. CA, GR 127876. Dec. 17, 1999, 321 SCRA 106*
 9. *The Executive Secretary v. CA, GR 131719. May 25, 2004, 429 SCRA 81*
 10. *Remman Enterprises, Inc. v. Professional Regulatory Board of Real Estate Service, GR 197676. Feb. 4, 2014, 715 SCRA 293*

11. *Southern Luzon Drug Corp. v. Department of Social Welfare and Development*, GR 199669. Apr. 25, 2017, 824 SCRA 164

12. *Zaval v. Duterte*, GR 238467. Feb. 12, 2019

13. *Ermita-Malate Hotel and Motel Operators Association, Inc. v. City Mayor of Manila*, GR L-24693. July 31, 1967, 20 SCRA 849

2.6. *Requisites for valid exercise of police power*

14. *Didipio Earth-Savers' Multi-Purpose Association, Incorporated (DESAMA) v. Gozun*, GR 157882. Mar. 30, 2006, 485 SCRA 586

15. *Department of Education, Culture and Sports v. San Diego*, GR 89572. Dec. 21, 1989, 180 SCRA 533

2.7. *Limitations on police power*

2.8. *Delegability of police power*

16. *Pangasinan Transportation Co., Inc. v. The Public Service Commission* (70 Phil. 221 [1940])

17. *Abakada Guro Party List v. Ermita*, GR 168056, Sep. 1, 2005, 469 SCRA 1

2.9. *Police power delegated to LGUs*

2.10. *Requisites for a valid ordinance*

18. *City of Batangas v. Philippine Shell Petroleum Corp.*, GR 195003, June 7, 2017, 826 SCRA 297

2.11. *Cases*

19. *Lozano v. Martinez*, GR L-63419. Dec. 18, 1986, 146 SCRA 323

20. *Tablarin v. Gutierrez*, GR L-78164. July 31, 1987, 152 SCRA 730

21. *Del Rosario v. Bengzon*, GR 88265. Dec. 21, 1989, 180 SCRA 521

22. *Velasco v. Villegas*, GR L-24153. Feb. 14, 1983, 120 SCRA 568

23. *De la Cruz v. Paras*, GR L-42571-72. July 25, 1983, 123 SCRA 569

24. *City of Manila v. Laguio, Jr.*, GR 118127. Apr. 12, 2005, 455 SCRA 308

B. *POWER OF EMINENT DOMAIN*

25. *Barangay Sindalan, San Fernando, Pampanga v. CA*, GR 150640. Mar. 22, 2007, 518 SCRA 649

26. PNOC Alternative Fuels Corp. v. National Grid Corp. of the Philippines, GR 224936. Sep. 4, 2019, 918 SCRA 27

2.12. Power belongs solely to legislature, but may be delegated to entities

2.13. Requirement for the valid exercise of the power

27. Manotok v. National Housing Authority, GR L-55166-67, May 21, 1987, 150 SCRA 89

2.14. Genuine necessity for taking

28. City of Manila v. Chinese Community of Manila, GR 14355. Oct. 31, 1919, 40 Phil. 349

29. City of Manila v. Arellano Law College, GR L-2929. Feb. 28, 1950, 85 Phil. 663

30. Republic v. Borbon, GR 165354. Jan. 12, 2015, 745 SCRA 40

2.15. Taking in the context of the power

2.16. Public use construed

31. Masikip v. City of Pasig, GR 136349. Jan. 23, 2006, 479 SCRA 391

32. Asia's Emerging Dragon Corporation v. Department of Transportation and Communications, GR 169914. Apr. 18, 2008, 552 SCRA 59

2.17. Power of eminent domain not absolute

33. National Transmission Corp. v. Oroville Development Corp., GR 223366. Aug. 1, 2017, 833 SCRA 575

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35. Evergreen Manufacturing Corp. v. Republic, GR 218628. Sep. 6, 2017, 839 SCRA 200

36. Land Bank of the Philippines v. Del Rosario, GR 210105. Sep. 2, 2019, 916 SCRA 465

37. Republic v. Lim, GR 161656. June 29, 2005, 462 SCRA 265

38. Republic v. Jose Gamir-Consuelo Diaz Heirs Association, Inc., GR 218732. Nov. 12, 2018, 885 SCRA 254

2.20. Determination of just compensation a function of the courts

39. Cabahug v. National Power Corp., GR 186069. Jan. 30, 2013, 689 SCRA 666

2.21. Power of eminent domain delegated to local government unit

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40. Iloilo City v. Legaspi, GR 154614. Nov. 25, 2004, 444 SCRA 269

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C. POWER OF TAXATION

41. Demaala v. Commission on Audit, GR 199752. Feb. 17, 2015, 750 SCRA 612

42. Tridharma Marketing Corp. v. Court of Tax Appeals, GR 215950. June 20, 2016, 794 SCRA 126

43. Sison, Jr. v. Ancheta, GR L-59431. July 25, 1984, 130 SCRA 654

2.24. Limitations on taxing power

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44. Commissioner of Internal Revenue v. Algue, Inc., GR L-28896. Feb. 17, 1988, 158 SCRA 9

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2.29. Specific national taxes

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45. La Suerte Cigar & Cigarette Factory v. CA, GR 165499. Nov. 11, 2014, 739 SCRA 489

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48. *City of Manila v. Colet*, GR 124855. Dec. 10, 2014, 744 SCRA 265

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I. *RIGHT TO DUE PROCESS OF LAW*

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51. Ermita Malate Hotel & Motel Operators Association v. City Mayor of Manila, GR L-24693, July 31, 1967, 20 SCRA 849

1.2. Person's life, liberty, or property

52. Morfe v. Mutuc, GR L-20387. Jan. 31, 1968, 22 SCRA 424

1.3. Conditions for application of due process

1.4. Kinds of due process as to matters involved

53. Corona v. United Harbor Pilots Association of the Philippines, GR 111953, Dec. 12, 1997, 283 SCRA 31

54. U.S. v. Ling Su Fan, GR 3962. Feb. 10, 1908, 10 Phil., 104

55. Alliance for the Family Foundation, Philippines, Inc. (ALFI) v. Garin, GR 217872, Apr. 26, 2017, 825 SCRA 191

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1.5. Kinds of due process as to types of proceedings

56. Liguid v. Camano, Jr., AM RTJ-99-1509. Aug. 8, 2002, 387 SCRA 1

57. Stayfast Philippines Corp. v. NLRC, GR 81480, Feb. 9, 1993, 218 SCRA 596

58. Adamson & Adamson, Inc. v. Amores, GR L-58292, 23 July 1987, 152 SCRA 237

59. Artezuela v. Maderazo, AC 4354. Apr. 22, 2002, 381 SCRA 419

60. CMP Federal Security Agency, Inc. v. NLRC, GR 125298. Feb. 11, 1999, 303 SCRA 99

1.6. Essence of procedural due process

61. Fabella v. CA, GR 110379, Nov. 28, 1997, 282 SCRA 256

62. Padilla v. Sto. Tomas, GR 109444, Mar. 31, 1995, 243 SCRA 155

63. Salonga v. CA, GR 111478, Mar. 13, 1997, 269 SCRA 534

1.7. Requirements of procedural due process in administrative proceedings

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64. *Banco Español-Filipino v. Palanca.*, GR 11390. Mar. 26, 1918, 37 Phil. 921
- 1.9. *Due process in preliminary investigation***
65. *Secretary of Justice v. Lantion*, GR 139465. Jan. 18, 2000, 322 SCRA 160
- 1.10. *Effects of non-observance of right to notice and hearing***
- 1.11. *When rights to notice and hearing may be dispensed with***
- 1.12. *Absence of notice of hearing a curable defect***
66. *De Borja, v. Tan and De Borja*, GR L-6108. May 25, 1953, 93 Phil., 167
67. *Batangas Laguna Tayabas Bus Co. v. Cadiao*, GR L-28725. Mar. 12, 1968, 22 SCRA 987
- 1.13. *Effect of denial of procedural due process***
68. *Cuaycong v. Sengbengco*, GR L-11837, Nov. 29, 1960, 110 Phil. 113
- 1.14. *Due process in criminal prosecutions***
69. *Corpus, Jr. v. Pamular*, GR 186403, Sep. 5, 2018, 879 SCRA 187
70. *People v. Lumague, Jr.*, GR 53586, Jan. 30, 1982, 111 SCRA 515
- 1.15. *Other applications of the procedural due process***
- 1.16. *Modern doctrine of due process and its treatment of substantive due process***
71. *Yu Cong Eng v. Trinidad*, GR. 20479. Feb. 6, 1925, 47 Phil. 385
- 1.17. *Role of substantive due process***
72. *City of Manila v. Laguio, Jr.*, GR 118127, Apr. 12, 2005, 455 SCRA 308
- 1.18. *Elements of substantive due process***
73. *Insular Government v. Ling Su Fan*, GR 5038. Jan. 24, 1910, 15 Phil. 58
- 1.19. *Substantive due process in labor law***
- 1.20. *Void for vagueness doctrine***
74. *People v. Nazario*, GR L-44143, Aug. 31, 1988, 165 SCRA 186
- 1.21. *Vagueness construed***

- 1.22. **Void for overbreadth doctrine**
- 1.23. **Distinction between "vagueness" and "overbreadth" doctrines**
 75. Estrada v. Sandiganbayan, GR 148560. Nov. 19, 2001, 369 SCRA 394, J. Kapunan, dissenting, at 382-384
- 1.24. **Facial invalidation and as-applied invalidation**
- 1.25. **Facial and as-applied challenges**
- II. **RIGHT TO EQUAL PROTECTION OF THE LAW**
 - 76. Abakada Guro Party List v. Ermita, GR 168056, Sep. 1, 2005, 469 SCRA 14
 - 77. Association of Small Landowners v. Secretary of Agrarian Reform, GR 78742, July 14, 1989, 175 SCRA 343
 - 78. Quinto v. Commission on Elections, GR 189698. Feb. 22, 2010, 613 SCRA 385
- 2.1. **Equal protection of the law subject to reasonable classification**
 79. Dumlao v. COMELEC, GR L-52245. Jan. 22, 1980, 95 SCRA 392
- 2.2. **Requisites for reasonable and valid classification**
 80. Garcia v. Drilon, GR 179267. June 25, 2013, 699 SCRA 352
- 2.3. **Valid classification; case law**
 81. Drugstores Association of the Philippines, Inc. v. National Council on Disability Affairs, GR 194561. Sep. 14, 2016, 803 SCRA 25
- 2.4. **Tests to determine propriety of classification**
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- 2.5. **Rational basis scrutiny**
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- 2.6. **Intermediate scrutiny**
 84. Separate Concurring Opinion of J. Puno (ret.) in Ang Ladlad LGBT Party v. Commission on Elections, GR 190582, Apr. 8, 2010, 618 SCRA 32
- 2.7. **Strict scrutiny**

85. Disini, Jr. v. Secretary of Justice, GR 203335, Feb. 18, 2014, 716 SCRA 237

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3.2. General search warrants

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3.3. Properties which may be seized under a search warrant

3.4. Property to be searched need not be owned by the person against whom the search warrant is directed

87. Burgos, Sr. v. Chief of Staff, AFP, GR L-64261. Dec. 26, 1984, 133 SCRA 800

3.5. Place to be searched must be particularly described in the warrant

88. People v. CA, GR 126379. June 26, 1998, 291 SCRA 400

3.6. Grounds for quashal of search warrant

89. Abuan v. People, GR 168773. Oct. 27, 2006, 505 SCRA 799

3.7. Acts of private persons not covered by constitutional safeguard

90. People v. Marti, GR 81561. Jan. 18, 1991, 193 SCRA 57

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91. People v. Aruta, GR 120915. Apr. 3, 1998, 288 SCRA 626

3.9. Probable cause a requisite for validity of warrantless searches

92. Nala v. Barroso, Jr., GR 153087. Aug. 7, 2003, 408 SCRA 529

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3.10. Corpus delicti

94. *People v. Tomawis*, GR 228890, Apr. 18, 2018, 862 SCRA 131
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- 3.11. *Proof of corpus delicti***
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- 3.12. *Warrantless search incidental to a lawful arrest***
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- 3.13. *Warrant of arrest***
- 3.14. *Determination of probable cause***
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99. *De Lima v. Reyes*, GR 209330. Jan. 11, 2016, 779 SCRA 1
100. *Lim, Sr. v. Felix*, GR 94054-57. Feb. 19, 1991, 194 SCRA 292
- 3.15. *Arrest without a warrant***
- 3.16. *Period of detention of a person arrested without a warrant***
101. *Medina v. Orozco Jr.*, GR L-26723. Dec. 22, 1966, 18 SCRA 1168
- 3.17. *Inquest proceedings***
- 3.18. *Personal knowledge of the offense by arresting officer***
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- 3.19. *Limitations on warrantless search following a lawful arrest***
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104. *People v. Che Chun Ting*, GR 130568-69. Mar. 21, 2000, 328 SCRA 592
- 3.20. *Objects of warrantless search and seizure after or during lawful arrest***
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- 3.21. *In flagrante delicto arrest***

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3.23. Hot pursuit arrest

107. *Sanchez v. People*, GR 204589. Nov. 19, 2014, 741 SCRA 294

3.24. Re-arrest of escaped prisoners

3.25. Seizure of evidence in “plain view;” elements

108. *People v. Musa*, GR 96177, Jan. 27, 1993, 217 SCRA 597

3.26. Application of plain view doctrine; case law

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3.27. Search of moving vehicle

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111. *People v. Comprado*, GR 213225, Apr. 4, 2018, 860 SCRA 420

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3.28. Cases where warrantless searches in moving vehicles held to be valid

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3.30. Consented warrantless search or valid waiver of the right against warrantless search and seizure

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3.31. Valid waiver of the right against warrantless searches and seizures

117. Caballes v. CA, GR 136292. Jan. 15, 2002, 373 SCRA 221
118. People v. Nuevas, GR 170233. Feb. 22, 2007, 516 SCRA 463
119. Silahis International Hotel, Inc. v. Soluta, GR 163087. Feb. 20, 2006, 482 SCRA 660
- 3.32. Customs search or search in the enforcement of customs law**
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- 3.33. Stop and frisk or Terry stop**
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- 3.34. Search during exigent and emergency circumstances**
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- 4.1. Right to privacy in the Constitution**
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- 4.2. Exclusionary rule**
- 4.3. Application of the rule**
- 4.4. Other provisions of the Bill of Right that protect the right to privacy**
- 4.5. Right to privacy in international law**
- 4.6. Right to privacy in statutes and rules**
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- 4.7. Prying into the privacy of another's residence or business office**
127. Hing v. Choachuy, Sr., GR 179736. June 26, 2013, 699 SCRA 667
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- 4.9. Test to determine whether there is violation of right to privacy**
 - 128. *Sabio v. Gordon*, GR 174340. Oct. 17, 2006, 504 SCRA 704
 - 129. *Ople v. Torres*, GR 127685. July 23, 1998, 293 SCRA 141
- 4.10. Categories of privacy**
 - 130. *Versoza v. People*, GR 184535, Sep. 3, 2019
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 - 131. *Pollo v. Constantino-David*, GR 181881, Oct. 18, 2011, 659 SCRA 189
- 4.13. Video surveillance cameras**
 - 132. *Hing v. Choachuy, Sr.*, GR 179736. June 26, 2013, 699 SCRA 667
- 4.14. When search by government employer of employee's office not violative of right to privacy**
 - 133. *Pollo v. Constantino-David*, GR 181881. Oct. 18, 2011, 659 SCRA 189
- 4.15. Data privacy law**
- 4.16. Purposes of the law on data privacy**
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- 4.23. Writ of habeas data**
- 4.24. Meaning of "engaged" in gathering, collecting, or storing of data or information**
 - 135. *Vivares v. St. Theresa's College*, GR 202666, Sep. 29, 2014, 737 SCRA 92
- 4.25. Right to informational privacy on online social network (OSN)**

- 4.26. ***Purpose of OSN***
- 4.27. ***Facebook as OSN site***
- 4.28. ***Privacy tools of Facebook; privacy settings are not foolproof***
- 4.29. ***Level of privacy of images restricted to be viewed by “friends only”***

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- 136. **ABS-CBN Broadcasting Corp. v. Commission on Elections, GR 133486. Jan. 28, 2000, 323 SCRA 811**
- 137. **Garcia v. Faculty Admission Committee, Loyola School of Theology, GR L-40779, Nov. 28, 1975, 68 SCRA 277**
- 5.1. ***Protected speech***
- 5.2. ***Right to be silent***
 - 138. **Ebralinag v. The Division Superintendent of Schools of Cebu, GR 95770. Mar. 1, 1993, 219 SCRA 256**
- 5.3. ***What the freedom of speech and expression clause guarantees***
 - 139. **Dissenting Opinion of Mr. Justice Carpio in Soriano v. Laguardia, GR 164785. Mar. 15, 2010, 615 SCRA 254**

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- 5.4. ***Prior restraint construed***
- 5.5. ***Kinds of prior restraint***
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- 5.6. ***Intermediate scrutiny for content-neutral regulation***
 - 141. **Osmeña v. Commission on Elections, GR 132231. Mar. 31, 1998, 288 SCRA 447**
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- 5.9. ***Levels of governmental interest***
- 5.10. ***Content-based restriction***
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 - 143. **Cabansag v. Fernandez, GR L-8974. Oct. 18, 1957, 102 Phil. 152**
- 5.11. ***Requisites for validity of content-based restriction***

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5.12. *Tests in determining the validity of restrictions to freedoms*

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149. *Eastern Broadcasting Corp. (DYRE) v. Dans, Jr.*, GR L-59329 July 19, 1985, 137 SCRA 628

150. *Gonzales v. Kalaw Katigbak*, GR L-69500. July 22, 1985, 137 SCRA 717

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152. *Pita v. CA*, GR 80806, Oct. 5, 1989, 178 SCRA 362

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5.20. *Case laws involving freedom of expression*

154. *Adiong v. COMELEC*, GR 103956. Mar. 31, 1992, 207 SCRA 712

155. *Diocese of Bacolod v. COMELEC*, GR 205728, Jan. 21, 2015

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157. *David v. Gloria Macapagal-Arroyo*, GR 171409, May 3, 2006, 489 SCRA 160

6.1. *Practical importance of the press*

158. *Chavez v. Gonzales*, GR 168338. Feb. 15, 2008, 545 SCRA 441

159. *United States v. Bustos*, GR 12592. Mar. 8, 1918, 37 Phil. 731

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VIII. RIGHT TO PETITION THE GOVERNMENT FOR REDRESS OF GRIEVANCES

165. *Philippine Blooming Mills Employees Organization v. Philippine Blooming Mills Co., Inc.*, GR L-31195. June 5, 1973, 51 SCRA 189

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167. *Espuelas v. People*, GR L-2990. Dec. 17, 1951, 90 Phil. 524

168. *Reyes v. Bagatsing*, GR L-65366. Nov. 9, 1983, 125 SCRA 553

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169. *Estrada v. Desierto* GR 146710-15. Mar. 2, 2001, 353 SCRA 452

8.6. ***Strategic Lawsuits Against Public Participation or SLAPP***

8.7. ***RA No. 10654, first law to incorporate SLAPP***

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9.2. ***Standards for interpreting non-establishment clause***

170. *Estrada v. Escritor*, AM P-02-1651. June 22, 2006, 492 SCRA 1

9.3. ***Free exercise of religion clause***

9.4. ***Proscription on requiring religious test before exercising civil or political rights***

171. *Verzosa v. Fernandez*, GR 32276. Nov. 19, 1930, 55 Phil. 307

9.5. ***Meaning and scope of freedom of religion***

172. *German v. Barangan*, GR L-68828. Mar. 27, 1985, 135 SCRA 514 and *Iglesia Ni Cristo v. CA*, GR 119673. July 26, 1996, 259 SCRA 529

9.6. ***Doctrine of benevolent neutrality-accommodation***

173. *Peralta v. Philippine Postal Corp. (PhilPost)*, GR 223395. Dec. 4, 2018, 887 SCRA 714

9.7. ***Compelling State interest test***

174. *Samahan ng mga Progresibong Kabataan (SPARK) v. Quezon City*, GR 225442. Aug. 8, 2017, 835 SCRA 350

9.8. ***The free exercise clause and the duty to refer***

175. *Imbong v. Ochoa, Jr.*, GR 207563. Apr. 8, 2014, 721 SCRA 146

9.9. ***The establishment clause and contraceptives***

- 9.10. ***Separation of Church and State and benefits of religion balanced by other provisions of the Constitution***
- 9.11. ***Freedom of religion takes precedence over right against impairment of contracts; exception***
176. Victoriano v. Elizalde Rope Workers' Union, GR L-25246. Sep. 12, 1974, 59 SCRA 54
- 11.1. ***Limitations on the right to travel***
177. Leave Division, Office of Administrative Services-Office of the Court Administrator (OCA) v. Heusdens, AM P-11-2927. Dec. 13, 2011, 662 SCRA 126
- 11.2. ***Hold departure order a valid restriction on right to travel***
178. Silverio v. Court of Appeals, GR 94284. Apr. 8, 1991, 195 SCRA 760
- 11.3. ***Power to issue HDO is inherent in courts***
179. Genuino v. De Lima, GR 197930. Apr. 17, 2018, 861 SCRA 325
180. Silverio v. CA, GR 94284. Apr. 8, 1991, 195 SCRA 760
- 11.4. ***Doubt must be resolved in favor right to travel***
- X. **RIGHT TO INFORMATION ON MATTERS OF PUBLIC CONCERN**
181. Legaspi v. Civil Service Commission, GR L-72119. May 29, 1987, 150 SCRA 530
- 12.1. ***Requirements before right to information may be compelled***
182. Chavez v. Presidential Commission on Good Government, GR 130716. Dec. 9, 1998, 299 SCRA 744
183. Chavez v. Public Estates Authority, GR 133250. July 9, 2002, 384 SCRA 152
- 12.2. ***Freedom to information***
- 12.3. ***Inventory of excepted information***
184. Senate v. Ermita, GR 169777. Apr. 20, 2006, 488 SCRA 1
185. Akbayan v. Aquino, GR 170516. July 16, 2008, 558 SCRA 468

186. Chavez v. PCGG, GR 130716. Dec. 9., 1998, 299 SCRA 744
187. Chavez v. NHA, GR 164527. Aug. 15, 2007
188. Almonte v. Vasquez, GR 95367. May 23, 1995, 244 SCRA 286
189. Chavez v. Public Estates Authority, GR 133250, July 9, 2002, 384 SCRA 152
190. Hilado v. Judge Reyes, GR 163155. July 21, 2006
191. Romero v. Guerzon, GR 211816, Mar. 18, 2015

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13.2. *Concepts of the right to self-organization*

192. Knitjoy Mfg., Inc. v. Ferrer-Calleja, GR 81883, Sep. 23, 1992, 214 SCRA 174

13.3. *Formation of labor organizations*

13.4. *“Union” and “workers’ association”*

193. Samahan ng Manggagawa sa Hanjin Shipyard v. Bureau of Labor Relations, GR 211145. Oct. 14, 2015, 772 SCRA 613

13.5. *Labor-Management Councils*

13.6. *Some limitations on the right to self-organization*

13.7. *Right of government employees to self-organization*

13.8. *Distinctions between government and private sector employees’ right to self-organization*

194. GSIS v. Villaviza, GR 180291. July 27, 2010, 625 SCRA 669

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- 14.3. Expropriation**
197. National Transmission Corp. v. Oroville Development Corp., GR 223366. Aug. 1, 2017, 833 SCRA 575
- 14.4. Payment of just compensation**
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198. Biglang-Awa v. Bacalla, GR 139927. Nov. 22, 2000, 345 SCRA 562
- 14.6. Stages in action for expropriation**
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199. Republic v. Castellvi, GR L-20620. Aug. 15, 1974, 58 SCRA 336
- 14.8. Determination of just compensation not a legislative function**
- 14.9. Rule and laws governing expropriation**
- 14.10. When rule on assessed value and deposit under Rule 67 will not apply**
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- 14.11. Complaint for expropriation**
- 14.12. When plaintiff may enter upon the property subject of expropriation**
- 14.13. When the value of the property must be determined**
201. Eslaban, Jr. v. Vda. de Onorio, GR 146062. June 28, 2001, 360 SCRA 230
- 13.1. Amount of provisional deposit**
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202. Republic v. Mupas, GR 181892. Apr. 19, 2016, 790 SCRA 217
- 14.15. What deposit requirement constitutes**
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- 14.16. Form of payment of just compensation**
- 14.17. Interest on payment of just compensation; reason for its imposition**
204. Apo Fruits Corp. v. CA, GR 164195. Feb. 6, 2007, 514 SCRA 537
- 14.18. Requirement for allowing immediate entry in property to be expropriated**

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14.19. *Reckoning period for determining just compensation*

206. *Secretary of the Department of Public Works and Highways v. Tecson*, GR 179334. July 1, 2013, 700 SCRA 243

14.20. *Rules to determine just compensation*

207. *B.H. Berkenkotter & Co. v. CA*, GR. 89980, Dec. 14, 1992, 216 SCRA 584

14.21. *Consequential damages and consequential benefits*

208. *Republic v. CA*, GR 160379. Aug. 14, 2009, 596 SCRA 57

14.22. *Market value construed*

209. *Manansan v. Republic*, GR 140091, Aug. 10, 2006, 498 SCRA 348

14.23. *Other factors to be considered in determining fair market value*

210. *National Transmission Corp. v. Taglao*, GR 223195. Jan. 29, 2020, 930 SCRA 431

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14.25. *To whom and when should payment of compensation be made*

14.26. *Delay in the payment of just compensation a forbearance of money*

211. *Landbank of the Philippines v. Alcantara*, GR 187423. Feb. 28, 2018, 856 SCRA 485

212. *Ignacio v. Ragasa*, GR 227896. Jan. 29, 2020, 930 SCRA 506

14.27. *When plaintiff may enter upon the property expropriated or retain it*

14.28. *Taking of property under CARL an exercise of power of eminent domain and not of police power of the State*

14.29. *Non-traditional and revolutionary exercise of power of eminent domain under CARL*

14.30. Public use requirement fulfilled

14.31. Power of eminent domain by LGUs

14.32. Duty of courts to determine legality of exercise by LGUs of power

213. Moday v. CA, GR 107916. Feb. 20, 1997, 268 SCRA 586

214. Municipality of Parañaque v. V.M. Realty Corp., GR 127820 July 20, 1998, 292 SCRA 678

215. Estate of Heirs of the Late Ex-Justice Jose B.L. Reyes v. City of Manila, GR 132431. Feb. 13, 2004, 422 SCRA 551

216. City of Manila v. Prieto, GR 221366. July 8, 2019, 907 SCRA 602

14.33. Negotiation preferred over suit for expropriation

217. City of Manila v. Alegar Corp., GR 187604. June 25, 2012, 674 SCRA 378

218. Jesus Is Lord Christian School Foundation, Inc. v. Municipality (now City) of Pasig, GR 152230. Aug. 9, 2005, 466 SCRA 235

14.34. Inverse expropriation

219. Philippine Long Distance Telephone Co. v. Citi Appliance M.C. Corp., GR 214546. Oct. 9, 2019, 922 SCRA 518

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15.1 Purpose of non-impairment clause

222. Siska Development Corp. v. Office of the President of the Philippines, GR 93176. Apr. 22, 1994, 231 SCRA 674

15.2 When right to non-impairment may yield to police and taxing powers

223. Phil. American Life Ins. Co. v. Auditor General, GR L-19255. Jan. 18, 1968, 22 SCRA 135

224. La Insular v. Machuca, Go-Tauco and Nubla Co-Siong., GR 13307. Feb. 3, 1919, 39 Phil., 567

15.3 *Non-impairment clause can only be invoked in contractual tax exemptions*

225. *Casanovas v. Hord.*, GR 3473. Mar. 22, 1907, 8 Phil. 125

226. *Cagayan Electric Power & Light Co., Inc. v. Commissioner of Internal Revenue*, GR L-60126. Sep. 25, 1985, 138 SCRA 629

227. *Province of Misamis Oriental v. Cagayan Electric Power and Light Company, Inc.*, GR 45355. Jan. 12, 1990, 181 SCRA 38

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229. *People v. Duero*, GR L-52016. May 13, 1981, 104 SCRA 379

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17.3. *Extrajudicial confession; requisites for admissibility*

230. *People v. Reyes*, GR 178300, Mar. 17, 2009, 581 SCRA 691

17.4. *When extrajudicial confession is not valid and inadmissible in evidence*

231. *People v. Muleta*, GR 130189. June 25, 1999, 309 SCRA 148

232. *People v. Bravo*, GR 135562. Nov. 22, 1999, 318 SCRA 812

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233. *People v. Agustin*, GR 247718. Mar. 03, 2021

18.1. *What a competent and independent counsel is expected to do*

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20.1. Policy on prohibited forms of detention in Anti-torture law

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234. *People v. Abner*, GR L-2508. Oct. 27, 150, 87 Phil. 566

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235. *Enrile v. Sandiganbayan*, GR 213847. Aug. 18, 2015, 767 SCRA 282

21.2. Right to bail under the Constitution and the Rules of Court

21.3. Capital offense

236. *People v. Albert*, GR 114001. Dec. 11, 1995, 251 SCRA 136

21.4. Factors in fixing bail

237. *Villaseñor v. Abano*, GR L-23599. Sep. 29, 1967, 21 SCRA 312

21.5. When bail a matter of right or a matter of discretion

238. *Tanog v. Balindong*, GR 187464. Nov. 25, 2015, 775 SCRA 467

21.6. Conduct of mandatory summary bail hearings

239. *Revilla, Jr. v. Sandiganbayan*, GR 218232, July 24, 2018, 874 SCRA 52

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240. *Santiago v. Vasquez*, GR 99289-90. Jan. 27, 1993, 217 SCRA 633

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21.8. When a person is deemed to be in the custody of the law

243. *Dinapol v. Baldado*, AM RTJ-92-898. Aug. 5, 1993, 225 SCRA 110

21.9. Constructive and legal custody of the accused

244. *Paderanga v. CA*, GR 115407. Aug. 28, 1995, 247 SCRA 741

21.10. How arrest is made

21.11. Right to bail may be waived

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21.12. No bail after final judgment; exception

21.13. When bail is not required; reduced bail or recognizance

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246. *De la Camara v. Enage*, GR L-32951-2. Sep. 17, 1971, 41 SCRA 1

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22.1. Amount of bail must be reasonable

22.2. What constitutes reasonable bail

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248. *People v. Resterio-Andrade*, GR 79827. July 31, 1989, 175 SCRA 782

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249. *Cornejo v. Gabriel and Provincial Board of Rizal.*, GR 16887. Nov. 17, 1920, 41 *Phil.* 188

250. *Romualdez v. Sandiganbayan*, GR143618-41. July 30, 2002, 385 SCRA 436

XXII. RIGHT OF THE ACCUSED TO THE PRESUMPTION OF INNOCENCE

251. *People v. Hilario*, GR 210610. Jan. 11, 2018, 851 SCRA 1

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252. *People v. Santos*, GR 223142. Jan. 17, 2018, 852 SCRA 23

24.2. *Degree of proof required to secure conviction of the accused*

253. *Daayata v. People*, GR 205745. Mar. 8, 2017, 820 SCRA 58

24.3. *Until when will the presumption hold*

254. *Mangubat v. Sandiganbayan*, GR L-60613–20. Apr. 20, 1985, 135 SCRA 732

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255. *Fernandez v. People*, GR 138503. Sep. 28, 2000, 341 SCRA 277

24.6. *When presumption of innocence is overturned*

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24.7. *When burden of evidence shifts to defense*

24.8. *Application of presumption of innocence and presumption of regularity in the conduct of official duties*

257. *Franco v. People*, GR 191185 Feb. 1, 2016, 782 SCRA 526

258. *People v. Wagas*, GR 61704 Mar. 8, 1989, 171 SCRA 69

259. *People v. Rosialda*, GR 188330. Aug. 25, 2010, 629 SCRA 507

260. *People v. Arposeple*, GR 205787. Nov. 22, 2017

261. *People v. Reyes*, GR 199271. Oct. 19, 2016, 806 SCRA 513

262. *People v. Agulay*, GR 181747. Sep. 26, 2008, 566 SCRA 571

263. *People v. Abdula*, GR 212192. Nov. 21, 2018, 886 SCRA 383

XXIII. *RIGHT OF THE ACCUSED TO BE HEARD BY HIMSELF AND COUNSEL IN CRIMINAL PROSECUTIONS*

25.1. Right of the accused to be heard by himself and counsel

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264. Callangan v. People, GR 153414. June 27, 2006, 493 SCRA 269

265. Telan v. CA, GR 95026. Oct. 4, 1991, 202 SCRA 534

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25.3. Importance of counsel in criminal proceedings

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267. People v. Bayabos, GR 174786. Feb. 18, 2015, 750 SCRA 677

26.2. Purpose of written accusation

268. Andaya v. People, GR 168486. June 27, 2006, 493 SCRA 539

26.3. Contents of Complaint or Information

269. Villarba v. CA, GR 227777. June 15, 2020, 937 SCRA 601

26.4. What constitutes fair notice to the accused

26.5. Allegations of fact; effect when offense not charged nor necessarily included in the information

270. Quimvel v. People, GR 214497. Apr. 18, 2017, 823 SCRA 192

271. David v. People, GR 208320. Aug. 19, 2015, 767 SCRA 690

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27.1. Objective of the right to speedy trial

273. Tan v. People, GR 173637. Apr. 21, 2009, 586 SCRA 139

- 27.2. Factors to determine the deprivation of right to speedy trial**
- 27.3. Interest of the accused protected by the right to speedy trial**
- 27.4. Law and rules implementing the right to speedy trial**
- 27.5. Relevant cases**
 - 274. Santiago v. Garchitorena, GR 109266, Dec. 2, 1993, 228 SCRA 214
 - 275. Alvizo v. Sandiganbayan, GR 101689, Mar. 17, 1993, 220 SCRA 55
 - 276. Santiago v. Sandiganbayan, GR 128055. Apr. 18, 2001, 356 SCRA 636
 - 277. Cadalin v. Philippine Overseas Employment Administration's Administrator, GR 104776. Dec. 5, 1994, 238 SCRA 721
- XXVI. RIGHT OF THE ACCUSED TO MEET THE WITNESSES FACE TO FACE**
 - 278. Talino v. Sandiganbayan, GR L-75511-14. Mar. 16, 1987, 148 SCRA 598
- 28.1. Right of the accused to cross-examine**
 - 279. People v. Givera, GR 132159. Jan. 18, 2001, 349 SCRA 513
- 28.2. Importance of the right to cross-examine a witness**
 - 280. People v. Rivera, GR 139180. July 31, 2001, 362 SCRA 153
- 28.3. Scope of the cross-examination**
- 28.4. Right to cross-examine may be waived**
 - 281. Savory Luncheonette v. Lakas ng Manggagawang Pilipino, GR L-38964. Jan. 31, 1975, 62 SCRA 258
 - 282. People v. Narca, GR 129217. Aug. 25, 2000, 339 SCRA 76
- 28.5. Treatment of testimony of witness who dies or becomes unavailable**
 - 283. Equitable PCI Banking Corp. v. RCBC Capital Corp., GR 182248. Dec. 18, 2008, 574 SCRA 858
- 28.6. Effects of incomplete cross-examination**
 - 284. People v. Seneris, GR L-48883. Aug. 6, 1980, 99 SCRA 92
- 28.7. Right to cross-examine in depositions**

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29.2. Bail to secure appearance of material witness

29.3. Contempt of court

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30.1. Writ of habeas corpus

285. *Nava v. Gatmaitan*, GR L-4855, Oct. 11, 1951, 90 Phil. 172

30.2. Petition for the issuance of writ of habeas corpus a special proceeding

30.3. Nature of the writ; what it is and what it is not

30.4. Application of the writ

286. *Velasco v. CA*, GR 118644, July 7, 1995, 245 SCRA 677

30.5. Writ generally cannot be suspended; exceptions

30.6. Extent and function of the writ

30.7. Writ a summary remedy and a proceeding in rem

30.8. Parties and question to be resolved in petition

30.9. Who may prosecute?

287. *Kelly v. Director of Prisons*, GR 20478, Mar. 14, 1923, 44 Phil. 623

30.10. Writ; by whom granted; where enforceable and returnable

30.11. Where application for writ may be denied

30.12. Habeas corpus a prerogative writ; its purpose

30.13. Court order to present the person before it is just a preliminary step in hearing the petition and not a ruling on the propriety of the remedy

288. *In the Matter of the Petition for Habeas Corpus of Capt. Alejano v. Gen. Cabuay*, GR 160792, Aug. 25, 2005, 468 SCRA 188

30.14. What the court must inquire into

289. *Morales, Jr. v. Enrile*, GR 61016, Apr. 26, 1983, 121 SCRA 538

30.15. Judicial discretion in the issuance of the writ

290. Eugenio, Sr. v. Velez, GR 85140, May 17, 1980, 185 SCRA 468

30.16. *When the writ may be granted or dismissed*

291. Gonzales v. Viola, GR 43195, Aug. 23, 1935, 61 Phil. 824

292. Ngaya-an v. Balweg, GR 80591, Aug. 5, 1991, 200 SCRA 149

30.17. *Scope of the writ*

293. In the Matter of the Petition for Habeas Corpus of Kunting, GR 167193, Apr. 19, 2006, 487 SCRA 602

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30.18. *Limited use of the writ; not a substitute for another available recourse*

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295. Galvez v. CA, GR 114046, Oct. 24, 1994, 237 SCRA 685

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297. U.S. v. Tamparong, GR 9527, Aug. 23, 1915, 31 Phil. 321

30.19. *Expanded application of the writ to cases of deprivation of constitutional rights*

298. Ilusorio v. Bildner, GR 139789, May 12, 2000, 387 Phil. 915

30.20. *Writs of habeas corpus and certiorari as ancillary remedies;*

30.21. *Writ of certiorari as an ancillary proceeding*

30.22. *Circumstances when courts may extend the scope of the writ*

299. Andal v. People, GR 138268-69, May 26, 1999, 367 Phil. 154

30.23. *Writ rendered moot by release of detained person; exception*

30.24. *Voluntary restraint*

30.25. *Writ as the proper legal remedy for parents to regain custody of minor child*

300. *Tijing v. CA*, GR 125901, Mar. 8, 2001, 406 Phil. 449

30.26. *Ultimate concern in petition for habeas corpus in child custody cases*

301. *Salientes v. Abanilla*, GR 162734, Aug. 29, 2006, 500 SCRA 128

30.27. *Specific instances when the writ may issue*

302. *People v. Vera*, GR 45685, Nov. 16, 1937, 65 Phil. 56

303. *U.S. v. Rauscher*, 119 US 407

304. *Lopez v. Delos Reyes*, GR 34361, Nov. 5, 1930, 55 Phil. 170

305. *Salvaña v. Gaela*, GR 34115, Feb. 21, 1931, 55 Phil. 680

306. *Rodriguez v. Dir. of Prisons*, GR 37914, Aug. 29, 1932, 57 Phil. 133

307. *Ognir v. Dir. of Prisons*, GR L-1870, Feb. 27, 1948

308. *Conde v. Rivera*, GR 21741, Jan. 25, 1924, 45 Phil. 650

309. *Teh Huan v. Collector of Customs*, GR 31953, Dec. 16, 1929, 54 Phil. 129

310. *Macazo v. Nuñez*, GR 12772, Jan. 24, 1956, 105 Phil. 55

311. *Lao Tang Bun v. Fabre*, GR 1673, Oct. 22, 1948, 81 Phil. 682

312. *In re Dick*, GR 13862, Apr. 16, 1918, 38 Phil. 41

29.1. *Kinds of habeas corpus writ*

313. *Lee Yick Hon v. Insular Collector of Customs*, GR L-16779, Mar. 30, 1921, 41 Phil. 548

30.28. *When the writ is proper or not*

314. *Talabon v. Iloilo Provincial Warden*, GR L-1153, June 30, 1947, 78 Phil. 59

315. *Pomeroy v. Director of Prisons*, GR L-14284-85, Feb. 24, 1960, 107 Phil. 50

30.29. *Writ not a substitute to appeal or certiorari*

30.30. *Court cannot issue the writ to convicted prisoners who only served the minimum term*

316. *OCA v. Perello*, AM RTJ-05-1953, Dec. 24, 2008
- 30.31. *Writ to issue only based on actual or physical, not on mere moral, restraint***
- 29.2. *Claim for damages not allowed in petition***
317. *Alimpoos v. CA*, GR L-27331, July 30, 1981, 106 SCRA 159
- 30.32. *Instances when the writ is not allowed or when a person is not discharged after the issue of the writ***
- 30.33. *Writ no longer available after the filing of information***
318. *Ilagan v. Enrile*, GR 70748, Oct. 21, 1985, 139 SCRA 349
- 30.34. *Remedy of detained person duly charged in court***
319. *Bernarte v. CA*, GR 107741, Oct. 18, 1996, 263 SCRA 323
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- 30.35. *Circumstances when the writ is unavailing, not proper***
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- 30.36. *Other cases when the writ may not be available; when the writ allowed as post-conviction remedy***
322. *Go v. Dimagiba*, GR 151876, June 21, 2005, 460 SCRA 451
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- 30.37. *Supervening events that may bar release or discharge from custody***
- 30.38. *Bail not a bar to objections on illegal arrest***
- 30.39. *When the court must grant the writ***
- 30.40. *Hearing not a requisite for the grant of the writ***
324. *Tan v. Adre*, AM RTJ-05-1898, Jan. 31, 2005, 450 SCRA 145
- 29.3. *Court duty-bound to issue the writ even sans petition if evidence so warrants***
- 30.41. *To whom the writ is directed or addressed***
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- 30.42. When the writ is directed to the person having constructive custody over the respondent**
- 30.43. Writ not availing where the proceedings is marred by mere irregularities**
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- 30.44. Burden of proving illegal restraint lies with the petitioner**
327. *Feria v. CA*, GR 122954, Feb. 15, 2000, 325 SCRA 525
- 30.45. Release contemplated under the writ**
328. *Moncupa v. Enrile*, GR 63345, Jan. 30, 1986, 141 SCRA 233
- 30.46. Solitary function of the writ is relief from illegal detention**
- XXIX. RIGHT TO SPEEDY DISPOSITION OF CASES**
329. *Dansal v. Fernandez, Sr.*, GR 126814. Mar. 2, 2000, 327 SCRA 145
- 31.1. Guidelines in resolving issues on the right to speedy disposition of cases**
330. *Cagang v. Sandiganbayan*, GR 206438. July 31, 2018, 875 SCRA 374
- 31.2. What the right seeks to prevent**
- 31.3. Inordinate delay violates the right**
331. *Ty-Dazo v. Sandiganbayan*, GR 143885-86. Jan. 21, 2002, 374 SCRA 200
332. *Tatad v. Sandiganbayan*, GR L-72335–39. Mar. 21, 1988, 159 SCRA 70
- 31.4. "Balancing test" in determining inordinate delay**
333. *Martin v. Ver*, GR L-62810. July 25, 1983, 123 SCRA 745
334. *Tumbocon v. Sandiganbayan Sixth Division*, GR 235412-15. Nov. 5, 2018, 884 SCRA 231
- 31.5. Laws and rules in determining the length of delay**
- XXX. RIGHT AGAINST SELF-INCRIMINATION**
335. *People v. Ayson*, GR 85215, July 7, 1989, 175 SCRA 216
- 32.1. Scope of the right**

336. Galman v. Pamaran, GR L-71208-09. Aug. 30, 1985, 138 SCRA 294

32.2. Exception to the right

32.3. Kinds of immunity

32.4. When the right against self-incrimination may be claimed

32.5. Right as it applies to accused in criminal case

337. Rosete v. Lim, GR 136051. June 8, 2006, 490 SCRA 125

32.6. Accused distinguished from ordinary witness

338. Chavez v. CA, GR L-29169. Aug. 19, 1968, 24 SCRA 663

32.7. Adjunct rights under the right against self-incrimination

32.8. The essence of the right is testimonial compulsion

339. People v. Olvis, GR L-71092. Sep. 30, 1987, 154 SCRA 513

340. People v. Casinillo, GR 97441. Sep. 11, 1992, 213 SCRA 777

341. Villaflor v. Summers., GR 16444. Sep. 8, 1920, 41 Phil. 62

342. U.S. v. Tan Teng, GR 7081. Sep. 7, 1912, 23 Phil., 145

343. U.S. v. Ong Siu Hong, GR 12778. Aug. 3, 1917, 36 Phil. 735

344. U.S. v. Salas, GR 8295. Sep. 20, 1913, 25 Phil. 337

345. U.S. v. Zara, GR 17564. Nov. 2, 1921, 42 Phil., 308

346. People v. Otadora, 86 Phil. 244, No. L-2164 April 26, 1950

347. Dela Cruz v. People, GR 200748. July 23, 2014, 730 SCRA 655

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348. Aclaracion v. Gatmaitan, GR L-39115. May 26, 1975, 64 SCRA 131

34.1. Examples of involuntary servitude

34.2. Involuntary servitude in acts of trafficking in persons

349. *People v. Nangcas*, GR 218806. June 13, 2018, 866 SCRA 240

34.3. Return-to-work order not violative of the right against involuntary servitude

350. *Sarmiento v. Tuico*, GR L-75271-73. June 27, 1988, 162 SCRA 676

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351. *Alejano v. Cabuay*, GR 160792. Aug. 25, 2005, 468 SCRA 188

352. *Harden v. Director of Prisons*, GR L-2349. Oct. 22, 1948, 81 Phil. 741

353. *People v. Estoista*, GR L-5793. Aug. 27, 1953, 93 Phil., 647

354. *Echegaray v. Executive Secretary*, GR 132601. Oct. 12, 1998, 297 SCRA 754

35.1. "Other cruel, inhuman or degrading treatment or punishment" defined

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355. *People v. Echegaray*, GR 117472. June 25, 1996, 257 SCRA 561

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358. Villanueva v. City of Iloilo, GR L-26521, Dec. 28, 1968, 26 SCRA 578

38.1. *Historical evolution of the right*

38.2. *'Debt' construed with respect to the constitutional inhibition*

359. Ganaway v. Quillen, GR 18619. Feb. 20, 1922

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360. Sumbilla v. Matrix Finance Corporation, GR 197582. June 29, 2015, 760 SCRA 532

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361. People v. Juego, GR 123162. Oct. 13, 1998, 298 SCRA 22

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366. Villareal v. Aliga, GR 166995. Jan. 13, 2014, 713 SCRA 52

367. People v. Laguio, Jr., GR 128587. Mar. 16, 2007, 518 SCRA 393

39.6. *When double jeopardy will not attach*

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368. Lacson v. Executive Secretary, GR 128096. Jan. 20, 1999, 301 SCRA 298

369. In re: Kay Villegas Kami, Inc., GR L-32485, Oct. 22, 1970, 35 SCRA 429

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370. *People v. Ferrer*, GR L-32613-14. Dec. 27, 1972, 48 SCRA 382

41.2. Case law

371. *Bureau of Customs Employees Association (BOCEA) v. Teves*, GR 181704. Dec. 6, 2011, 661 SCRA 589

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372. *Oposa v. Factoran, Jr.*, GR 101083, July 30, 1993, 224 SCRA 792

43.1. Legal standing to sue for enforcement of environmental rights

373. *Bersamin, J.: Sep. Op., Biraogo v. Phil. Truth Commission of 2010*, GR 192935, Dec. 7, 2010, 637 SCRA 78

374. *Resident Marine Mammals of the Tañon Strait Protected Seascape v. Reyes*, GR 180771, Apr. 21, 2015

43.2. Other cases related to environmental rights

375. *Laguna Lake Development Authority (LLDA) v. Court of Appeals*, GR 110120, Mar. 16, 1994, 231 SCRA 292

376. *Henares v. Land Transportation and Franchising Regulatory Board (LTFRB)*, GR 158290, Oct. 23, 2006, 505 SCRA 104

377. *Social Justice Society v. Atienza, Jr.*, GR 156052, Mar. 7, 2007, 545 SCRA 92

378. *Resident Marine Mammals of the Tañon Strait Protected Seascape v. Reyes*, GR 180771, Apr. 21, 2015, 756 SCRA 513

379. *Mosqueda v. Pilipino Banana Growers & Exporters Association, Inc.*, GR 189185. Aug. 16, 2016, 800 SCRA 313

43.3. *Rules of Procedure for Environmental Cases*

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43.5. *Citizen suits*

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43.7. *Writ of Continuing mandamus*

380. *Metropolitan Manila Development Authority (MMDA) v. Concerned Residents of Manila Bay*, GR 171947-48, Dec. 18, 2008, 574 SCRA 661

381. *Abogado v. DENR*, GR 246209, Sep. 3, 2019

43.8. *Environmental Protection Order (EPO)*

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384. *J. Puno, Separate Opinion in Cruz v. Secretary of Environment and Natural Resources*, GR 135385. Dec. 6, 2000, 347 SCRA 128

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45.6. *Rights to ancestral lands*

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- 45.9. National Commission on Indigenous Peoples (NCIP)**
- 45.10. Jurisdiction of NCIP**
- 45.11. Jurisdiction over claims and disputes between or among parties not belonging to the same ICC or IP**
385. Unduran v. Aberasturi, GR 181284. Oct. 20, 2015, 773 SCRA 114
- 45.12. Right to ancestral domains and ancestral lands: how acquired**
- 45.13. The concept of native title**
386. Cariño v. Insular Government, GR 72. Feb. 23, 1909, 41 Phil. 935
- 45.14. Ancestral lands private in character**
- 45.15. Conversion of ancestral lands and domains from private to public agricultural land for purposes of registration**
- 45.16. Indigenous concept of ownership and customary law; ancestral domain is owned in common by ICCs or IPs**
- 45.17. Certificate of Ancestral Domain Title (CADT), a mere formal recognition of native title**
- 45.18. Non-inclusion of ownership by ICCs or IPs over natural resources; compliance with the Regalian doctrine**
- 45.19. Free and Prior Informed Consent (FPIC)**
387. Maddela v. Oxiana Philippines, Inc., GR 198243. Feb. 27, 2019
- 45.20. Certification Precondition**

Those cases in red font are for case digests.

The rest of the cases are for reading purposes.