

TO: PTI 12850418142
REF: 110487 000000
Wabeta

Republic of the Philippines
REGIONAL TRIAL COURT
National Capital Judicial Region
Branch 64
City of Makati

OFFICE OF THE EXECUTIVE JUDGE

(12TH Flr., New Makati City Hall Bldg., Makati City
Tel No.: 8870-1551; email address: rtc1mak064@judiciary.gov.ph)

August 14, 2023

ATTY. CLARO F. CERTEZA

City Administrator
Makati City

Re: Clarification re: jurisdiction over the disputed areas comprising the
Parcels 3 and 4, Psu 2031

Dear Atty. Certeza,

This is in reference to your Letter dated August 11, 2023 seeking for clarification regarding the jurisdiction of this judicial district with respect to the disputed areas of Parcels 3 and 4, Psu 2031, comprising Fort Bonifacio, including the so-called Inner Fort comprising of Barangays Pembo, Comembo, Cembo, South Cembo, West Rembo, East Rembo and Pitogo. Of particular concern is whether or not the pending cases in the Makati courts, whose venue now falls within the jurisdiction of Taguig, will be transferred and when this shall be done.

As a background, we note that in its Decision dated December 1, 2021, the Supreme Court reinstated the Decision of RTC Pasig to wit:

“Fort Bonifacio Military Reservation, consisting of Parcels 3 and 4, Psu-2031, is confirmed to be part of the territory of the City of Taguig”

In a Resolution dated September 28, 2022, the Supreme Court denied with finality the Makati City government’s Omnibus Motion for Reconsideration of the Court’s December 1, 2021 Decision. Recently, it has come to the attention of this court that the Supreme Court Third Division has denied the Makati City government’s request to file a second Motion for Reconsideration regarding the territorial dispute.

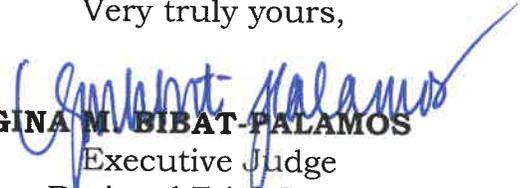
As such, several queries have also been brought to the attention of this court on how to interpret questions of jurisdiction given the above-mentioned Supreme Court pronouncements. To address these concerns, the undersigned lodged a query before the Office of the Court Administrator Raul B. Villanueva. In response, on July 25, 2023, the Honorable Raul B. Villanueva replied as follows:

“Meanwhile, and as an initial assessment, the decision of the Supreme Court’s Third Division should be the subject of a writ of execution before the trial court of origin. When the said writ has been implemented by the Department of Interior and Local Government, then that is the reckoning period for the transfer of jurisdiction of cases emanating from the Fort Bonifacio Military Reservation, consisting of Parcels 3 and 4, Psu-2031, from Makati City to the City of Taguig. This being so, all cases currently filed and pending before the first and second level courts in Makati City should continue to be tried, heard and decided by the said courts”

Thus, based on the above, cases that are already pending with the Makati courts will remain to be within the jurisdiction of the said courts.

We trust that the foregoing suffices to address your concerns. Thank you.

Very truly yours,


GINA M. BIBAT-PALAMOS

Executive Judge
Regional Trial Court
Makati City