

Supreme Court of the Philippines
Manila

ADMINISTRATIVE SUPERVISION OF COURTS

CIRCULAR NO. 2-91

TO : JUDGES OF THE REGIONAL TRIAL COURTS, SHARI'A DISTRICT COURTS, METROPOLITAN TRIAL COURTS, MUNICIPAL TRIAL COURTS, MUNICIPAL CIRCUIT TRIAL COURTS AND SHARI'A CIRCUIT COURTS

SUBJECT : PRESIDENTIAL DECREE NO. 1818

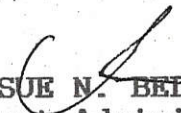
The Office of the Court Administrator has been continuously receiving reports and/or complaints against Judges who are indiscriminately issuing court injunctions against the National Power Corporation in gross violation of Sec. 1 of P.D. 1818.

For the information and guidance of all concerned, the Supreme Court in the case of "National Power Corporation vs. Hon. Abraham Vera", G.R. 83558, February 27, 1989, 170 SCRA 721, categorically ruled that the National Power Corporation is entitled to the protective mantle of the aforementioned decree for the higher interest of public service. Section 1 of P.D.1818 provides:

"SECTION 1. No court in the Philippines shall have jurisdiction to issue any restraining order, preliminary injunction, or preliminary mandatory injunction in any case, dispute, or controversy involving an infrastructure project, or a mining, fishery, forest or other natural resource development project of the government, or any public utility operated by the government, including among others public utilities for the transport of the goods or commodities, stevedoring and arrastre contracts, to prohibit any person or persons, entity or government officials from proceeding with, or continuing the execution or implementation of any such project, or the operation of such public utility, or pursuing any lawful activity necessary for such execution, implementation or operation."

Strict observance hereof is enjoined.

May 15, 1991.


JOSUE N. BELLOSILLO
Court Administrator

FJL/b
dodong