



Republic of the Philippines
Supreme Court
Office of the Court Administrator
Manila

OCA CIRCULAR NO. 221-2019

TO : ALL JUDGES OF THE REGIONAL TRIAL COURTS

SUBJECT : ISSUANCE OF TEMPORARY RESTRAINING ORDERS AND WRITS OF PRELIMINARY INJUNCTION AGAINST DECISIONS OF THE OMBUDSMAN IN DISCIPLINARY CASES

In view of persistent reports that various regional trial courts (RTC) issue temporary restraining orders and writs of preliminary injunction against decisions of the Office of the Ombudsman in disciplinary cases, which matter was also raised in the 21 November 2019 letter of Secretary Eduardo M. Año, Department of the Interior and Local Government, all judges are hereby **REMINDED** and **ADVISED** that pursuant to the doctrine of judicial stability or non-interference, the RTC has **NO JURISDICTION** to interfere with or restrain the execution of decisions of the Ombudsman in disciplinary cases.

In a number of cases, the Supreme Court admonished that “[w]here the decisions of certain administrative bodies are appealable to the Court of Appeals, these adjudicative bodies are co-equal with the Regional Trial Courts in terms of rank and stature; their actions are logically beyond the control of the RTC, a co-equal body. Notably, the decisions of the Ombudsman in disciplinary cases are appealable to the CA via a Petition for Review under Rule 43 of the Rules of Court. As a co-equal body, the RTC has no jurisdiction to interfere with or restrain the execution of the Ombudsman's decisions in disciplinary cases.”¹

For strict compliance.

5 December 2019


JOSE MIDAS P. MARQUEZ
Court Administrator

¹ Department of the Interior and Local Government v. Gatuz, G.R. No. 191176, 14 October 2015; Erice v. Judge Sison, A.M. No. RTJ-15-2407, 22 November 2017.