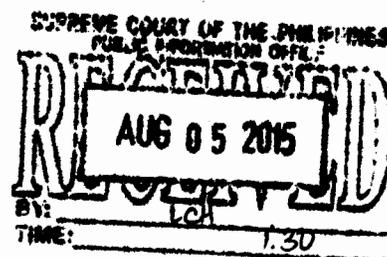




Republic of the Philippines  
Supreme Court  
Manila  
FIRST DIVISION



NOTICE

Sirs/Mesdames:

*Please take notice that the Court, First Division, issued a Resolution dated **June 29, 2015** which reads as follows:*

**“G.R. No. 195998 (Romeo Jalosjos y Garcia v. People of the Philippines).** - After a judicious review of the records, the Court resolves to **DISMISS** the instant petition for lack of jurisdiction. Time and again, the Court ruled that the Petition for Declaratory Relief cannot be filed directly to this Court but with the Regional Trial Court (RTC)<sup>1</sup> as provided for in the first paragraph of Section 1,<sup>2</sup> Rule 63 of the Rules of Court.

Settled is the rule that this Court has only appellate jurisdiction, not original, over a Petition for Declaratory Relief, even if only questions of law are involved.<sup>3</sup> Section 5,<sup>4</sup> Article VIII of the 1987 Constitution expressly provides the powers conferred to this Court which does not

- over - two (2) pages .....

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<sup>1</sup> *Rural Bank of Olongapo, Inc. v. Commissioner of Land Registration*, 190 Phil. 679, 680 (1981).

<sup>2</sup> Section 1. *Who may file petition.* - Any person interested under a deed, will, contract or other written instrument, or whose rights are affected by a statute, executive order or regulation, ordinance, or any other governmental regulation may, before breach or violation thereof, bring an action in the appropriate Regional Trial Court to determine any question of construction or validity arising, and for a declaration of his right or duties, thereunder. (Emphasis supplied)

<sup>3</sup> See *Tano v. Hon. Gov. Socrates*, 343 Phil. 670, 698 (1997).

<sup>4</sup> SEC. 5. The Supreme Court shall have the following powers:

(1) Exercise original jurisdiction over cases affecting ambassadors, other public ministers and consuls, and over petitions for *certiorari*, prohibition, *mandamus*, *quo warranto*, and *habeas corpus*.

(2) Review, revise, reverse, modify, or affirm on appeal or *certiorari*, as the law or the Rules of Court may provide, final judgments and orders of lower courts in:

(a) All cases in which the *constitutionality* or *validity* of any treaty, international or executive agreement, law, presidential decree, proclamation, order, instruction, *ordinance*, or regulation is in question. (Italics supplied).

x x x x

include the original jurisdiction over a Petition for Declaratory Relief.<sup>5</sup> Because it is not within the jurisdiction of any courts, tribunal, person or body exercising judicial or quasi-judicial functions, the Petition for Declaratory Relief clearly falls within the original jurisdiction of the RTC.<sup>6</sup>

**SO ORDERED.”**

Very truly yours,

  
**EDGAR O. ARICHETA**  
Division Clerk of Court <sub>M-116</sub>  
**326**

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<sup>5</sup> See *Galicto v. Aquino III*, G.R. No. 193978, February 28, 2012, 667 SCRA 150,167-168.

<sup>6</sup> Pertinent portions of Section 19 of Batas Pambansa Blg. 129 provides:

SEC. 19. *Jurisdiction in civil cases.* – Regional Trial Court shall exercise original jurisdiction:

x x x x

(6) In all cases not within the exclusive jurisdiction of any court, tribunal, person or body exercising jurisdiction or any court, tribunal, person or body exercising judicial or quasi-judicial functions;

x x x x

