

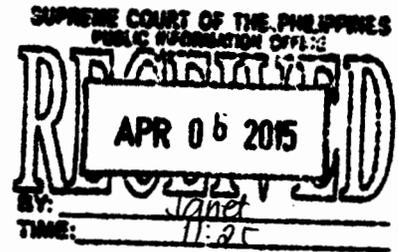


Republic of the Philippines  
Supreme Court

Manila

EN BANC

NOTICE



Sirs/Mesdames:

*Please take notice that the Court en banc issued a Resolution dated MARCH 24, 2015, which reads as follows:*

**“G.R. No. 216070 (Citizens for Clean and Credible Elections [C3E], represented by Co-convenors Hermenegildo R. Estrella and Melchor G. Magdamo, National Labor Union [NLU], represented by its President, David L. Diwa, League of Elder and Aging Persons [LEAP], represented by its President, Mischa Nicanor B. Elman, Philippine Association of Free Labor Unions [PAFLU], represented by its President, Eleuterio C. Tuazon, Anti-Trapo Movement of the Philippines, represented by its Chairperson, Myrleon E. Peralta, Alliance of Government and Private Retired Employees [AGPREE], represented by its President, Joel A. Sarza, ACCO Homes Neighborhood Association, represented by its President, Luciano De Luna Gella, Jr., and Katipunan ng mga Anak ng Bayan All Filipino Democratic Movement [KAAKBAY Party-List], represented by its President, Alain Del B. Pascua v. Commission on Elections [COMELEC], represented by Chairperson Sixto S. Brillantes, Jr., COMELEC Bids and Awards Committee [BAC], represented by its Chairperson, Smartmatic TIM Corporation, Total Information Management Corporation, and Smartmatic International Corporation).—**

The Court Resolved to **NOTE** the Consolidated Comment dated February 3, 2015 filed by the Office of the Solicitor General in compliance with the resolution dated February 3, 2015.

After a judicious review of the records, the Court resolves to **DISMISS** the instant *certiorari* petition<sup>1</sup> on the ground of prematurity in view of petitioners’ failure to show that they have exhausted the available administrative remedies within the COMELEC. Verily, the doctrine of exhaustion of administrative remedies ensures an orderly procedure which favors a preliminary sifting process, particularly with respect to matters

<sup>1</sup> *Rollo*, Vol. I, pp. 3-51.

peculiarly within the competence of the administrative agency, avoidance of interference with functions of the administrative agency by withholding judicial action until the administrative process had run its course, and prevention of attempts to swamp the courts by a resort to them in the first instance.<sup>2</sup> This Court, in a long line of cases, has consistently held that if a remedy within the administrative machinery can still be resorted to by giving the administrative officer concerned every opportunity to decide on a matter that comes within his jurisdiction, then such remedy should be exhausted first before the court's judicial power can be sought,<sup>3</sup> as in this case." Carpio, J., on leave. (47)

Very truly yours,

  
ENRIQUETA E. VIDAL  
Clerk of Court 

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<sup>2</sup> *Laguna CATV Network, Inc. v. Maraan*, 440 Phil. 734, 741 (2002), citing *Carale v. Abarintos*, 336 Phil. 126, 135 (1997).

<sup>3</sup> *Id.*

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*[FOR UPLOADING PURSUANT TO A.M. No. 12-7-1-SC]*

G. R. No. 216070  
kat 3/24/15 (47) 4/1/15

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