

MUNICIPAL BOARD  
Office of the Secretary  
Ormoc City



EXCERPT FROM THE MINUTES OF THE SPECIAL SESSION OF THE FIFTH  
MUNICIPAL BOARD OF ORMOC CITY, PHILIPPINES, HELD AT ITS  
SESSION HALL ON JANUARY 10, 1966

PRESENT:

Hon. Heliodoro T. Fiel,	Vice-Mayor, Presiding Officer
Hon. Benjamin F. Tugonon,	Floor Leader
Hon. Narciso C. Alfaro,	City Councilor
Hon. Pelagio C. Kierulf,	City Councilor
Hon. Francisco D. Abas,	City Councilor
Hon. Anastacio D. Besabella,	City Councilor
Hon. Marciano S. Du,	City Councilor

ABSENT:

Hon. Francisco D. Aviles,	City Councilor
Hon. Benjamin T. Pongos,	City Councilor

RESOLUTION NO. 7

"WHEREAS, the Government of Ormoc City, represented by His Honor, the City Mayor, through the Honorable City Fiscal, has on January 7, 1966, filed a petition for Mandamus with Writ of Preliminary Injunction with the Court of First Instance, 13th Judicial District, Fifth Branch, Ormoc City, against the Ormoc Sugar Company, Incorporated, under Special Civil Case No. 766-0;

"WHEREAS, in said petition, the City Government has prayed that judgment be rendered by the Honorable Court of First Instance: (1) Immediately enjoining respondent Ormoc Sugar Company, Incorporated, from filing its corporate income tax returns and paying its income tax outside petitioner's (City Government) jurisdiction; (2) Ordering the respondent to file its income tax returns and to pay its income tax with the petitioner or within its jurisdiction; (3) Ordering that the cost of the present mandamus proceedings be adjudged against respondent; and (4) Further, granting petitioner such other relief and remedies that may be just and equitable under the premises;

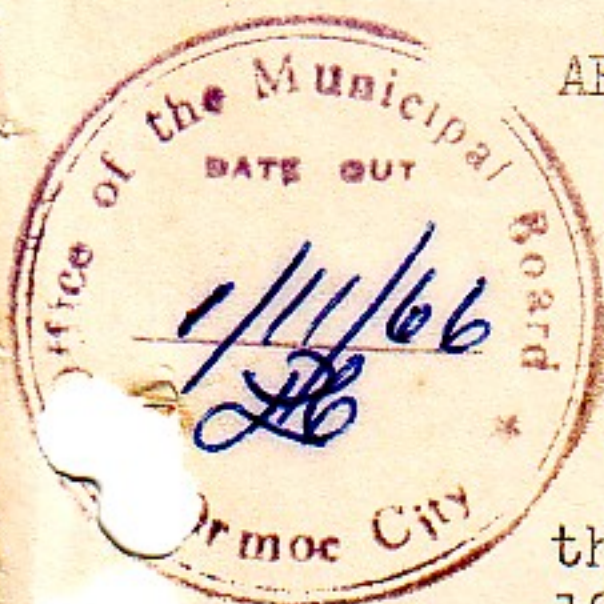
"WHEREAS, the Honorable Court of First Instance in its order dated today, January 10, 1966, upon consideration of Section 46-c of the Revised Revenue Code and Section 360 of the same, has ordered that respondent be immediately enjoined from filing its income tax returns and paying its income tax outside the City of Ormoc and ordered the respondent to file its income tax return and to pay its income tax to the petitioner within its jurisdiction upon petitioner's filing a cash bond conditioned upon whatever damages might have been suffered by respondent by the issuance of this injunction with the Clerk of Court in the sum of One Thousand Pesos (P1,000.00) or with the City Treasurer of Ormoc City and upon certification of the Ormoc City Treasurer that such deposit has already been issued;

"NOW, THEREFORE, the Board, on motion of Councilor Abas, seconded by Councilor Du;

"RESOLVED, to adopt:

ORDINANCE NO. 2

AN ORDINANCE APPROPRIATING THE AMOUNT OF ONE THOUSAND PESOS (P1,000.00) OUT OF THE DISCRETIONARY FUND OF THE CITY MAYOR TO BE MADE AVAILABLE FOR CASH BOND IN SPECIAL CASE NUMBERED 766-0 ENTITLED "MANDAMUS WITH WRIT OF PRELIMINARY INJUNCTION" PURSUANT TO THE ORDER OF THE HONORABLE COURT OF FIRST INSTANCE OF ORMOC CITY.





BE IT ORDAINED, by authority of the Municipal Board of Ormoc City, Philippines, pursuant to the provisions of Republic Act 179, as amended, otherwise known as the Charter of Ormoc City, That:

SECTION 1. The amount of One Thousand Pesos (₱1,000.00), or so much thereof as may be necessary, is hereby appropriated out of the Discretionary Fund of the City Mayor to be made available for cash bond in Special Civil Case No. 766-0 entitled "MANDAMUS WITH WRIT OF PRELIMINARY INJUNCTION", (Ormoc City, Petitioner, versus Ormoc Sugar Company, Incorporated, Respondent) pursuant to the Order of the Honorable Court of First Instance, 13th Judicial District, Fifth Branch, Ormoc City, of even date, January 10, 1966, said cash bond to be filed with the Clerk of Court or with the City Treasurer of Ormoc City.

SECTION 2. The City Treasurer of Ormoc City is hereby authorized to issue a certification to the effect that the cash bond deposit has already been made as provided for in Section 1 hereof.

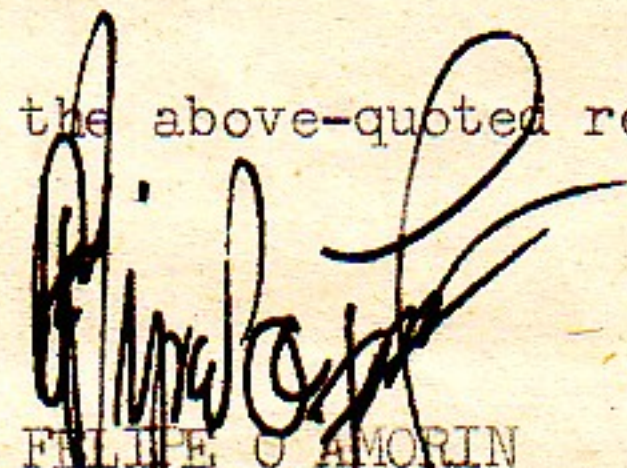
SECTION 3. This Ordinance shall take effect immediately upon its approval.

ENACTED, January 10, 1966.


"RESOLVED, FINALLY, to furnish a copy of this resolution-ordinance each to the Honorable Court of First Instance, 13th Judicial District, Fifth Branch, the Honorable City Fiscal, the City Treasurer, the City Auditor, and the Ormoc Sugar Company, Incorporated, Ipil, all of Ormoc City;

"CARRIED UNANIMOUSLY."

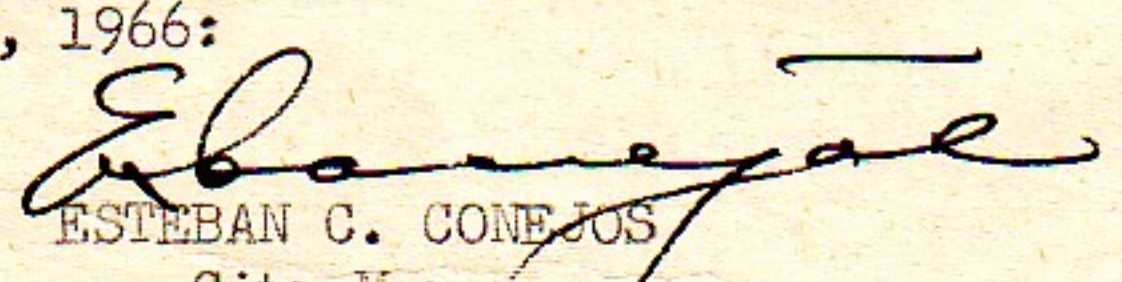
I HEREBY CERTIFY to the correctness of the above-quoted resolution-ordinance.

  
FELIPE O. AMORIN  
Secretary

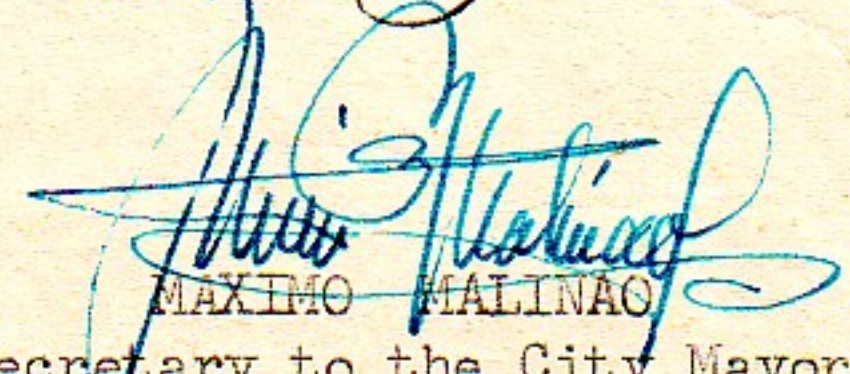
ATTESTED:

  
HELIODORO T. FIEL  
Vice-Mayor  
Presiding Officer

APPROVED, Jan. 11, 1966:

  
ESTEBAN C. CONEJOS  
City Mayor

ATTESTED AS APPROVED:

  
MAXIMO MALINAO  
Secretary to the City Mayor

/vll