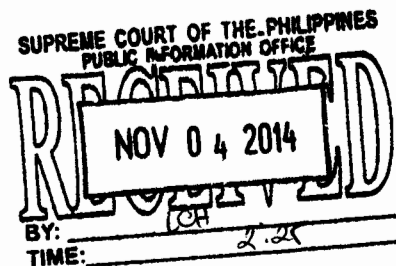




Republic of the Philippines  
Supreme Court  
Manila  
FIRST DIVISION



NOTICE

Sirs/Mesdames:

*Please take notice that the Court, First Division, issued a Resolution dated **September 22, 2014** which reads as follows:*

**“G.R. No. 202204 (Office of the Ombudsman v. Rodolfo S. de Jesus) and G.R. No. 202236 (Rustico B. Tutol v. Rodolfo S. de Jesus).** - After a careful perusal of the records, the Court resolves to **DENY** the instant petitions and **AFFIRM** the February 7, 2012 Decision<sup>1</sup> and May 30, 2012 Resolution<sup>2</sup> of the Court of Appeals (CA) in CA-G.R. SP No. 114937 for failure of petitioners Office of the Ombudsman (G.R. No. 202204) and Rustico B. Tutol (G.R. No. 202236) to show that the CA committed any reversible error in reinstating Rodolfo S. de Jesus (respondent) as Deputy Administrator of the Local Water Utilities Administration (LWUA) and directing payment of his back salaries and other emoluments.

Respondent cannot be held liable for grave misconduct aggravated by dishonesty merely for having received his representation and transportation allowance (RATA) with an insufficient or disproportionate deduction for transportation allowance in the amount of only ₱600.00. The determination and application of the proper rates for representation and travel allowances had no direct relation or connection to the performance of his official duties, it being undisputed that the amount of deduction that was supposed to correspond to the transportation allowance portion of the RATA given to LWUA officials was pursuant to the mandate of the September 25, 1990 Inter-Office Memorandum<sup>3</sup> issued by then LWUA Administrator Ricardo T. Quebral.

The respondent’s urgent motion for early resolution of the separate petitions for review on certiorari is **NOTED**.

- over – two (2) pages .....

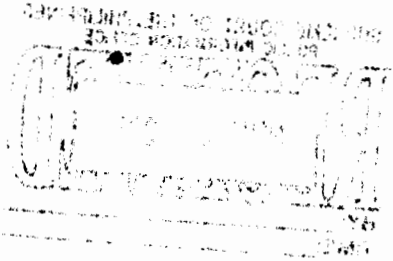
**145 & 148**

<sup>1</sup> *Rollo* (G.R. No. 202204), pp. 98-113. Penned by Associate Justice Florito S. Macalino with Associate Justices Rebecca de Guia-Salvador and Priscilla J. Baltazar-Padilla, concurring.

<sup>2</sup> *Id.* at 114-115.

<sup>3</sup> *Id.* at 229.

**SO ORDERED.”**



Very truly yours,

**EDGAR O. ARICHETA**

Division Clerk of Court

**145 & 148**

The Solicitor General (x)  
Makati City

Court of Appeals (x)  
Manila  
(CA-G.R. SP No. 114937)

Mr. Rustico B. Tutol  
Petitioner  
Local Water Utilities Administration  
LWUA Bldg., Katipunan Road  
1100 Balara, Quezon City

Atty. Richard I. De Jesus  
Counsel for Resp. R. S. De Jesus  
040 Delos Santos St., Panginay  
3016 Balagtas, Bulacan

Public Information Office (x)  
Library Services (x)  
Supreme Court  
(For uploading pursuant to A.M.  
No. 12-1-7-SC)

OFFICE OF THE OMBUDSMAN  
National Government Center  
1128 Diliman, Quezon City  
(Adm. Case No. OMB-C-A-04-0124-C)

Judgment Division (x)  
Supreme Court

SR