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At any rate, the counsel who signed on behalf of Alejandro A. Fider and Associates could have refrained from instituting this *mandamus* proceeding, for according to its very annexes,[22] the accused admittedly had started serving sentence. A little more care on his part ought to have warned him against the precipitate step of elevating the matter to this Tribunal. He ought to have known that such a move bereft of support in law.

WHEREFORE, the petition for *mandamus* is dismissed for lack of merit. No costs.

Barredo, Antonio, Aquino, and *Concepcion, Jr., JJ.*, concur.

SECOND DIVISION

[G.R. No. L-32401. August 10, 1976]

HUSING LAO, *petitioner, vs.* **HON. FELINO D. ABALOS, Judge of the Court of First Instance of Sulu, Branch II, 16th Judicial District, and ESTEBAN T. BUMANGLAG,** *respondents.*

RESOLUTION

AQUINO, *J.*:

Husing Lao in this *certiorari* and *mandamus* case seeks the annulment of the ruling of Judge Felino D. Abalos at the hearing of Administrative Case No. 69-MJ, "*Husing Lao vs. Municipal Judge Esteban T. Bumanglag of Pangutaran, Sulu,*" which ruling is that the chief of police, over respondent Judge Bumanglag's objection, cannot testify on the police blotters

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[22] Annexes B and D.

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which were produced at the hearing not by the custodian thereof but by the chief of police himself and which were not shown to be official records.

The respondents answered the petition. The case was submitted for decision on January 11, 1971.

The resignation of Judge Bumanglag was accepted by the President of the Philippines on November 24, 1972, or before the administrative investigation could be terminated. The said administrative case was dismissed for having become moot (Resolution dated June 29, 1976).

Counsel for petitioner Lao in his manifestation of August 2, 1976 said that the issue in this case had also become moot.

WHEREFORE, this case is dismissed for having become moot and academic. No costs.

SO ORDERED.

Fernando (Acting C.J.), Barredo, Antonio, and *Concepcion, Jr., JJ.*, concur.

SECOND DIVISION

[G.R. No. L-42452. August 10, 1976]

IRENEO ABUAN and RICARDO ORDOÑEZ, *petitioners, vs.* **HONORABLE MIGUEL T. VALERA and PABLO NONAN,** *respondents.*

SYLLABUS

CONSTITUTIONAL LAW; BILL OF RIGHTS; DUE PROCESS; VIOLATED IN CASE AT BAR.— The order complained of could aptly be characterized as having been issued with indecent haste.