



Republic of the Philippines
DEPARTMENT OF THE INTERIOR AND LOCAL GOVERNMENT

Region 13 (CARAGA)
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DILG-13 OPINION NO. 28
December 3, 2012
DILG - REGION XIII
RELEASED
DATE: DEC 03 2012
TIME: 9:46 AM
BY: [Signature]

Atty. JONAH JOHN B. UNGAB
Ungab Gealon & Associates
G/F JSP Mango Plaza
Gen. Maxilom Ave. cor Echavez St.
Cebu City

Dear Atty. Ungab:

This refers to your letter dated October 8, 2012 which was endorsed by DILG Region 7 to this region, seeking opinion on whether the findings of the Sangguniang Bayan of Claver, Surigao del Norte is binding to Mayor Rosemarie Gokiangkee, of the same municipality, to issue preventive suspension and whether it is discretionary for the Mayor to issue the preventive suspension.

In response thereto, please be informed that the Department has already answered a similar query in DILG Opinion No. 27, s. 2006 that once the Sanggunian directs the Mayor to impose the preventive suspension, it becomes ministerial on her part to impose the same.

For your ready reference, attached is the copy of the said opinion.

Very truly yours,

[Signature]
LILIBETH A. FAMACION, CESO IV
OIC - Regional Director

cc: The Director
Legal Service, DILG
Diliman, Quezon City

ATTY. VITON