

Title: Spouses Benedict and Sandra Manuel vs. Ramon Ong: A Case of Procedural Default and Jurisdiction Over the Person

Facts: The case initiated when Ramon Ong filed a complaint for accion reivindicatoria against Spouses Manuel, claiming they unlawfully built structures on his property. The summons for the Manuels was issued on February 3, 2010. Attempts to serve the summons in February and March were met with delays and eventual refusal from the defendants. Consequently, Ong moved to declare the Spouses Manuel in default for not filing an answer, which the Regional Trial Court of La Trinidad, Benguet granted on June 28, 2010. The Spouses Manuel filed a motion to lift the order of default in September 2010, which was denied due to procedural deficiencies including not being under oath and lacking a meritorious defense. The Court of Appeals dismissed their appeal, leading to this petition for review on certiorari.

Procedural Posture: The case proceeded from the initial filing of the complaint for accion reivindicatoria, to the attempts and failure of proper summons service, to the declaration of default by the Regional Trial Court, and eventually to the Court of Appeals, which affirmed the trial court's decisions. The Spouses Manuel sought relief by petitioning the Supreme Court under Rule 45 of the 1997 Rules of Civil Procedure, seeking to reverse the appellate court's decision.

Issues: The pivotal issue determined by the Supreme Court was whether the Regional Trial Court validly acquired jurisdiction over the persons of the Spouses Manuel and, consequently, whether they were rightfully declared in default for failing to timely file their answer.

Court's Decision: The Supreme Court affirmed the decisions of the lower courts, holding that jurisdiction over the persons of Spouses Manuel was validly acquired through the Sheriff's tender of summons, as clearly outlined in the sheriff's return. The Spouses' motion to lift the order of default was found procedurally deficient for not being under oath and lacking an affidavit of merit. As such, they were not entitled to relief from the order of default.

Doctrine: The case reiterates the doctrines on the acquisition of jurisdiction over the person through personal service or tender of summons, and the strict procedural requirements for a motion to lift an order of default, including the necessity for it to be under oath and accompanied by an affidavit of merit detailing excusable negligence and a

meritorious defense.

****Class Notes:****

1. ****Jurisdiction Over the Person:**** Acquired through personal service or tender of summons (Rule 14, Section 6, 1997 Rules of Civil Procedure).
2. ****Declaration of Default:**** Requires a motion, notice to the defending party, and proof of failure to answer (Rule 9, Section 3).
3. ****Motion to Lift Order of Default:**** Must be under oath and accompanied by an affidavit of merit establishing excusable negligence or a meritorious defense (Rule 9, Section 3(b)).
4. ****Service of Motion:**** Must ensure receipt by the adverse party at least three days before the hearing date (Rule 15, Section 4).

****Historical Background:**** This case underscores the importance of due diligence in legal proceedings, particularly in the service of summons and the timely filing of responsive pleadings. It exemplifies the adherence to procedural rules and the leniencies and strictures established by the Philippine Rules of Court with regards to default judgments and the principles safeguarding the fair administration of justice.