

**\*\*Title:\*\***

Pahila-Garrido v. Tortogo et al.

**\*\*Facts:\*\***

On June 23, 1997, Domingo Pahila initiated an ejectment action in the Municipal Trial Court in Cities (MTCC) of Bacolod City against several defendants, including the respondents, to evict them from his properties. During the proceedings, Domingo Pahila died and was substituted by his wife, Angelina Pahila-Garrido. The MTCC ruled in favor of the petitioner on March 17, 1999, ordering the defendants to vacate the property. The first group of defendants did not appeal, making the decision final as to them, while the second group appealed to the RTC, which affirmed the MTCC decision. The second group then appealed to the Court of Appeals (CA), which dismissed the appeal and later denied the motion for reconsideration. The respondents further petitioned the Supreme Court, which denied their petition, making the MTCC decision final and executory.

Despite finality, the respondents filed a motion to quash the writ of execution in the MTCC, which was denied. They then filed a petition for certiorari and prohibition in the RTC, which issued a temporary restraining order (TRO) and later a writ of preliminary prohibitory injunction, enjoining the execution of the MTCC decision. Angelina Pahila-Garrido subsequently filed a petition for review on certiorari to the Supreme Court, challenging the RTC's issuance of the injunction.

**\*\*Issues:\*\***

1. Whether the petitioner's "petition for review on certiorari" is a proper remedy to challenge the November 12, 2002 order of the RTC.
2. Whether the RTC lawfully issued the TRO and the writ of preliminary prohibitory injunction to enjoin the execution of the already final and executory March 17, 1999 decision of the MTCC.

**\*\*Court's Decision:\*\***

1. **\*\*Proper Remedy:\*\*** The Supreme Court treated the petition as a special civil action for certiorari under Rule 65, given that the RTC's order was interlocutory and not subject to appeal. The Court justified the treatment by noting that the petition satisfied the requirements for a certiorari action, given the allegations of manifestly grave abuse of discretion by the RTC.

2. **\*\*RTC's Issuance of TRO and Injunction:\*\*** The Supreme Court ruled that the RTC

committed manifestly grave abuse of discretion by issuing the TRO and the writ of preliminary prohibitory injunction. The MTCC decision was already final and executory, and the respondents had no valid and enforceable claim to the property. Equity remedies such as injunctions are not available to extend the period within which respondents could resist the execution of a final judgment, especially after the opportunity to seek such relief had passed.

**\*\*Doctrine:\*\***

Once a judgment attains finality, it becomes immutable and unalterable. Remedies intended to frustrate, suspend, or enjoin the enforcement of a final judgment must be granted with caution and upon strict observance of the requirements under existing laws and jurisprudence.

**\*\*Class Notes:\*\***

- **\*\*Finality of Judgments:\*\*** A judgment, when final and executory, is immutable and unalterable.
- **\*\*Injunctive Relief:\*\*** An injunction cannot protect a right not in esse (i.e., a contingent right).
- **\*\*Special Civil Action (Certiorari):\*\*** Grounds for certiorari include acts without or in excess of jurisdiction or with grave abuse of discretion.
- **\*\*Issuance of TRO:\*\*** A TRO is valid for only 20 days from service per Section 5, Rule 58 of the Rules of Court.

**\*\*Historical Background:\*\***

The case exemplifies the judiciary's firm stance against any delay in the execution of final judgments, underscoring the immutability of final decisions. The litigation showcases the procedural complexities and equity considerations courts must navigate in property disputes and tenant-landlord conflicts in the Philippines. It also highlights the judicial remedy structure and the proper applications of certiorari and injunctions within the Philippine legal system.