

Title: Dole Philippines, Inc. (Tropifresh Division) vs. Hon. Reinato G. Quilala, RTC-Makati City, and All Season Farm, Corp., GR No. 159479, 579 Phil. 700 (2005)

Facts:

- Initial Filing and Summons:** All Season Farm Corporation (All Season) filed a complaint against Dole Philippines, Inc. (Tropifresh Division) (Dole) in the RTC, Makati City, seeking the recovery of a sum of money, accounting, and damages.
- Service of Summons:** The summons was served through an alias summons on Marifa Dela Cruz, a legal assistant of Dole Pacific General Services, Ltd., a separate entity from Dole.
- Motion to Dismiss:** Dole filed a motion to dismiss on May 20, 2003, challenging the service of summons among other grounds: (a) lack of jurisdiction over Dole due to improper service of summons; (b) failure to state a cause of action; (c) All Season was not the real party in interest; and (d) individual Dole officers cannot be sued personally for acts performed in official capacities. The RTC denied the motion on February 6, 2004.
- Motion for Partial Reconsideration:** Dole filed a motion for partial reconsideration, which was also denied by the RTC.
- Petition for Certiorari to the Court of Appeals:** Dole filed a certiorari petition with the Court of Appeals (CA-G.R. SP No. 87723) arguing improper service of summons. The appellate court upheld the RTC's decision, stating that Dole's president was aware of the summons.
- Motion for Reconsideration in the CA:** The CA denied Dole's motion for reconsideration.
- Petition to the Supreme Court:** Dole elevated the case to the Supreme Court, questioning the validity of the service of summons, since it was not served on the individuals enumerated under Section 11, Rule 14 of the 1997 Rules of Civil Procedure.

Issues:

- Whether the service of summons on Marifa Dela Cruz, a legal assistant, constituted valid service of summons on Dole Philippines, Inc., thereby giving the RTC jurisdiction over Dole.
- Whether the acceptance of the summons by Marifa Dela Cruz upon the instruction of

Dole's president complied with the requirements of Section 11, Rule 14.

3. Whether Dole's voluntary appearance through filings in court constitutes a waiver of any defect in the service of summons.

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

1. ****Improper Service of Summons****: The Supreme Court ruled that the service of summons on Marifa Dela Cruz, not an officer enumerated under Section 11, Rule 14 of the 1997 Rules of Civil Procedure, was improper. There was no evidence that she was authorized to receive the summons on behalf of Dole's president.

2. ****Voluntary Appearance****: However, the Court found that Dole's voluntary appearance in the case equated to a waiver of any defect in the service of summons. Dole's Entry of Appearance with Motion for Time on May 5, 2003, submitting to the jurisdiction of the RTC, acknowledged the receipt of the alias summons and sought additional time to file responsive pleadings. This constituted voluntary submission to the court's jurisdiction.

3. ****Estoppel****: By seeking affirmative relief and acknowledging receipt of the summons, Dole was estopped from claiming a lack of jurisdiction later. The trial court and the appellate court did not err in overruling Dole's contentions.

****Doctrine:****

1. ****Service of Summons to Specific Officers****: Service of summons on a domestic corporation must strictly adhere to the persons enumerated under Section 11, Rule 14 of the 1997 Rules of Civil Procedure.

2. ****Voluntary Appearance****: Voluntary appearance by the defendant in court proceedings is tantamount to an acknowledgment of the court's jurisdiction and waives any defects in service of summons per Section 20 of Rule 14 of the 1997 Rules of Civil Procedure.

****Class Notes:****

- ****Elements for Service of Summons on Corporations (Sec. 11, Rule 14)****:
- President, managing partner, general manager, corporate secretary, treasurer, in-house counsel.
- ****Doctrine of Voluntary Appearance (Sec. 20, Rule 14)****:
- Defendant's actions seeking affirmative relief constitute voluntary submission to jurisdiction.

- **Estoppel**: Engaging in court proceedings and seeking court's aid waives any procedural defects.
- **Example**: Dole's petition was denied based on their voluntary appearance by filing motions and acknowledging service.

Historical Background:

The case underscores the strict procedural requirements for valid service of summons on corporations in the Philippines, reflecting the importance of procedural due process in ensuring that defendants are properly informed of actions taken against them. Moreover, it highlights the courts' adaptability in acknowledging the realities of corporate operations while balancing the traditional formalities in procedural law.