

****Title:** Buyco vs. Baraquia, G.R. No. 147191, July 27, 2006, 623 Phil. 596******

****Facts:****

Nelson Baraquia filed a complaint with the Regional Trial Court (RTC) of Iloilo City against Dominico and Clemente Buyco (the Buycos). Baraquia sought to establish a permanent right of way, requested an injunction, and claimed damages. The purpose of the injunction was to prevent the Buycos from closing a road within their property, which Baraquia used to access his poultry farm from a public highway.

During the pendency of the case, the Buycos died and were substituted by their heirs, Purisimo Buyco and his brother Gonzalo. Iloilo RTC Branch 39 granted Baraquia's application for a preliminary injunction. However, by February 14, 2007, the RTC dismissed Baraquia's complaint, stating that he failed to establish the essential requisites for the easement of the right of way under Articles 649 and 650 of the Civil Code, and thus lifted the preliminary injunction.

Baraquia filed a notice of appeal, and Purisimo Buyco filed a partial appeal regarding the non-award of damages. Simultaneously, Baraquia filed a motion to cite Purisimo and Gonzalo in contempt for closing the road, allegedly in violation of the preliminary injunction. The RTC granted this motion on March 13, 2007, holding them in contempt of court because the preliminary injunction was still effective.

Purisimo moved for reconsideration, arguing that preliminary injunctions cease once quashed and cannot result in contempt charges without a verified petition. The RTC amended its decision on April 18, 2007, setting aside the contempt ruling and agreeing that the injunction was invalid without a finalized court decision. Additionally, the RTC noted that it's not firmly established in jurisprudence whether an injunction remains effective until a decision annulling it becomes final.

****Issues:****

1. Whether the lifting of a writ of preliminary injunction due to the dismissal of the complaint is immediately executory, even if the dismissal is pending appeal.
2. Whether preliminary injunctions continue to have effect pending appeal of the case for which they were issued.

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

1. ****Provisional Nature of Preliminary Injunctions****: The Supreme Court emphasized that a preliminary injunction is a provisional, ancillary remedy intended to preserve the status quo

until a final judgment is made. It does not exist independently of the main case and is generally intended to prevent actions that could cause irreparable injury.

2. **Automatic Dissolution upon Dismissal**: The Court ruled that the preliminary injunction issued by the RTC was automatically dissolved upon the dismissal of the main action, with the decision citing *Unionbank v. Court of Appeals*. The judgment clarifies that a dismissal operates to dissolve any temporary injunctions regardless of whether an appeal is filed.

3. **Reversal of the RTC's Final Resolution**: The Supreme Court reversed the RTC's decision on April 18, 2007, which held the preliminary injunction in place until the final ruling. Therefore, the preliminary injunction issued on December 1, 1999, by the RTC was dissolved automatically with the dismissal of Baraquia's complaint on February 14, 2007.

Doctrine:

The key doctrine discerned from this case is that a preliminary injunction automatically terminates upon the dismissal of the main case. This is irrespective of any pending appeals, reinforcing the principle that such injunctions are ancillary and provisional remedies directly tied to the main case's existence and outcome.

Class Notes:

- **Preliminary Injunction**: Defined in Rule 58 of the Revised Rules of Court as a provisional remedy aiming to preserve the status quo until the merits of a case are resolved.
- **Automatic Termination**: A preliminary injunction ceases once the main case is dismissed, even if an appeal is pending, as supported robustly by jurisprudence.
- **Contempt of Court**: Proper procedure involving a formal charge or verified petition is necessary to hold someone in contempt for violating a preliminary injunction after its dismissal.
- **Articles 649 and 650 of the Civil Code**: Key statutes concerning easement of right of way, applicable to cases where a property owner is landlocked and requires access through neighboring properties.

Historical Background:

The case continues the jurisprudence on the provisional nature of preliminary injunctions and their automatic dissolution upon dismissal of the main action. It reflects the tension between provisional remedies and final dispositions, impacting property access rights in modern Philippine civil law. This decision reaffirms established rules from prior cases such as *Unionbank v. Court of Appeals* while providing clarity on procedure and judicial

expectations regarding injunctions and their dissolution when main actions terminate.