

Title: Medado v. Heirs of Consing, G.R. No. 181643, 681 Phil. 536 (2012)

Facts:

- **1996:** Spouses Meritus Rey Medado and Elsa Medado purchase property from the Estate of Antonio Consing (Estate), represented by Soledad Consing, through Deeds of Sale with Assumption of Mortgage, agreeing to assume the estate's loan with the Philippine National Bank (PNB).
- **November 22, 2000:** The Estate files Civil Case No. 00-11320 for rescission and damages against the Medados, PNB, and the Register of Deeds of Cadiz City, citing failure of the Medados to meet the agreement conditions.
- **During Pendency (Undisclosed Period):** Estate offers the properties to the government via the Department of Agrarian Reform's Voluntary Offer to Sell (VOS) program. Land Bank of the Philippines (LBP) issues compensation to the Estate.
- **Civil Case No. 797-C:** In response, fearing LBP would release proceeds to the Estate, the Medados file an injunction action in RTC, Branch 60, Cadiz City seeking to (a) restrain LBP from releasing funds to the Estate and (b) compel LBP to release VOS proceeds to them.
- **March 9, 2007:** RTC grants preliminary prohibitory and mandatory injunction in favor of the Medados.
- **Appeal to CA:** The Estate's heirs (Consing) file a petition for certiorari with the CA to nullify the RTC order, citing *litis pendentia* and forum shopping.
- **September 26, 2008:** CA rules in favor of Consing, nullifying the RTC's order and dismissing Civil Case No. 797-C.
- **January 21, 2009:** CA denies Medados' motion for reconsideration.
- **Petition to SC:** Elsa Medado petitions the Supreme Court, raising issues about the procedural correctness of the CA's decision, verification and certification, and alleged forum shopping.

Issues:

1. **Certiorari Petition Admittance:**
 - Whether the CA correctly admitted Consing's petition despite alleged deficiencies in verification and certification against forum shopping.
2. **Absence of Motion for Reconsideration:**
 - Whether the CA correctly accepted the petition without a motion for reconsideration of the RTC's order.
3. **Forum Shopping Rule:**
 - Whether the CA correctly held that filing the injunction during the pendency of the

rescission case violated the forum shopping rule.

4. **Non-Joinder of Petitioner's Spouse:**

- Whether the exclusion of Elsa Medado's husband affects the petition, considering the action concerns conjugal property.

Court's Decision:

- **Verification and Certification Sufficiency:**

- SC ruled that Soledad's verification and certification against forum shopping were substantially compliant as she acted with authority via a Special Power of Attorney and represented common interests among heirs.

- **Exception to Motion for Reconsideration:**

- SC recognized exceptions to the general rule requiring a motion for reconsideration, noting Consing's situation fell under exceptions (e.g., mootness due to writ implementation despite pending reconsideration).

- **Forum Shopping Detected:**

- SC found identity in parties, rights asserted, and reliefs prayed for between Civil Case No. 797-C and Civil Case No. 00-11320, fulfilling *litis pendentia* elements thus confirming forum shopping.

- **Non-Joinder of Spouse Issue:**

- SC did not need to address this issue formally due to the resolution of the preceding substantial issues.

Doctrine:

- **Certification Against Forum Shopping:** Substantial compliance is sufficient where the certifier has comprehensive knowledge and shared interest with co-petitioners.

- **Motion for Reconsideration:** Exceptions exist where a motion is unnecessary due to futility or mootness.

- **Forum Shopping Prohibition:** Forum shopping is present when *litis pendentia* criteria (identity of parties, rights, and reliefs) are met, leading to potential *res judicata* outcomes.

Class Notes:

- **Litis Pendentia:** Elements include identity of parties, rights, and causes of action that establish *res judicata* connection (Victronics Computers, Inc.).

- **Forum Shopping:** Attempting to gain favorable judgment from different courts simultaneously is prohibited to prevent conflicting decisions.

- **Substantial Compliance with Certification Requirements:** Even if not all parties sign, verification by a knowledgeable representative with ample authority suffices (Heirs of

Hernandez).

Historical Background:

The case unfolds in the backdrop of Philippine agrarian reform programs and posthumous estate litigations. The estate initially sold property under a mortgage assumption, later offering the same properties via agrarian reform, leading to disputes over ownership and entitlements amid pending litigation. This context highlights the complex interplay of property laws, procedural requirements, and agrarian policies during the transformative post-land reform era in the Philippines.