

**REPUBLIC OF THE PHILIPPINES, PLAINTIFF AND APPELLANT, VS.
FILADELFO S. ROJAS, DEFENDANT AND APPELLEE.**

G.R. No. L-14891. January 31, 1962

Ponente: PADILLA, J.

Read online (full-text search, related cases, audio case brief): <https://batas.org/library/14288528952a/>

PADILLA, J.:

The Government appeals from an order entered on 11 November 1958 by the Court of First Instance of Manila dismissing its complaint against Filadelfo S. Rojas for the collection of 2nd semester or installment of 1947 unpaid registration fees on his 27 trucks and from an order dated 6 December 1953 denying its motion for reconsideration. As only questions of law are involved, the appeal is directly brought to this Court.

On 11 September 1958 the Government brought an action in the Court of First Instance of Manila to collect from Filadelfo S. Rojas the second installment or semester of 4947 unpaid registration fees on 27 trucks registered in his name, including the 50% penalty, totalling P9,528, legal interest from the filing of the complaint, and costs, with prayer for other just and equitable relief (civil case No. 37498). On 7 October 1958 the defendant Filadelfo S. Rojas moved for the dismissal of the complaint on the ground that the action is barred by prior judgment and that no cause of action lies against him. The prior case which he invokes to bar the present is case No. 26196, Republic of the Philippines vs. Rojas Express, Inc., Filadelfo S. Rojas and Juan J. Syquia, filed on 10 May 1955 in another branch or sala of the same Court. In that case the Government as plaintiff claimed—

- That on August 30, 1947, Martin Olson who was then the General Manager of the Rojas Express, Inc. issued Philippine National Bank Check No. 258659J in favor of the Motor Vehicles Office for the sum of P6,328.40, as payment for the registration fees for the 2nd installment of 1947 of the following trucks of the defendant Rojas Express, Inc., but upon its presentation for collection on September 6, 1947 aforesaid checks was rejected and dishonored by the Philippine National Bank for lack of sufficient funds;

and prayed that—

* * * defendants Rojas Express, Inc., Filadelfo Rojas and Juan Syquia be sentenced to pay the plaintiff, jointly and severally, the said sum of P9,528.00 with legal interest from the filing of this complaint, and to pay the costs.

That case was dismissed on 31 August 1955 by the Court, because it found that the action there already had prescribed in so far as defendants Filadelfo S. Rojas and Juan J. Syquia were concerned. On 17 October 1958 the plaintiff replied to the motion to dismiss. On 15 October, the defendant filed a supplementary motion to dismiss. On 23 October, the plaintiff replied to the supplementary motion to dismiss. On 11 November, the Court entered an order dismissing the complaint. On 25 November, the plaintiff filed a motion for reconsideration of the order of dismissal, to which the defendant objected. On 6 December, the Court denied the motion for reconsideration. On 16 December, the plaintiff perfected the present appeal.

The appellant Republic of the Philippines avers that the trial court erred—

* * * in holding that the plaintiff's cause of action is barred by a prior judgment, and

* * * in holding that the cause of action has already prescribed.

The appellant claims that the present action is not barred by a prior judgment, because the subject matter of the present action "is for the collection of the registration fees from him (appellee Filadelfo S. Rojas), as the real registered owner of the trucks in question," whereas the subject matter in the prior case was "the check which was dishonored for lack of sufficient funds." For this reason, the appellant contends that between the two cases the subject matter is not identical. On the other hand, the appellee argues that there is identity of subject matter, because both actions seek "to collect the unpaid 2nd installment of the 1947 registration fees of the 27 trucks in question, in the amount of P9,528.00."

A perusal of the complaints in the previous and present cases readily shows that in each case the parties, the causes, of action and the subject matter are the same and identical. The subject matter of the present case is the collection of the unpaid registration fees on the appellee's 27 trucks corresponding to the 2nd semester or installment of 1947. The same is also the subject matter of the former case. And although the appellant claims that whereas its first action against the appellee was based on quasi delict arising from the non-payment of a rubber check issued by Martin Olson, general manager of the Rojas Express, Inc., which had no funds, the case at bar is based on "the non-payment of the registration fees or taxes, and penalties which remain due and outstanding," yet such contention is untenable. Each complaint in the two cases makes as basis of its cause of action the fact of non-payment of the registration fees in question (See paragraph 6 of the complaint in the previous civil case No. 26196). The mention of the non-payment or bouncing of the check for lack of sufficient fund, which is alleged in both complaints, is merely incidental. Neither case can be discussed and determined without touching upon the second installment of 1947 unpaid registration fees on the 27 trucks in question. Not only this, each complaint also contains a list of the appellee's 27 trucks whose unpaid registration fees for the 2nd semester or installment of 1947 are now sought to be collected. In these circumstances, the only logical conclusion is that the subject matter and the cause of action between the two cases are the same and identical. From the orders entered on 21 August 1955 dismissing the complaint as to the defendants Filadelfo Rojas and Juan J. Syquia and on 3 June 1958 dismissing the complaint as to the defendant Rojas Express, Inc. in the aforesaid civil case No. 26196 the Government should have appealed. Not having appealed therefrom it became final and is bar to the present action.

The order appealed from is affirmed, without pronouncement as to costs.

Bengzon, C. J., Bautista Angelo, Labrador, Concepcion, Reyes, J. B. L., Barrera, Paredes, Dizon, and De Leon, JJ., concur.

ABOUT BATAS.ORG

Study smarter at BATAS.org

The Philippine bar review and law-school companion built around how your brain actually remembers.

The complete Philippine law library - free for everyone.

More than 100,000 Supreme Court decisions, Republic Acts, and executive issuances - full-text searchable, browsable by category and year, and always free. No paywall, no login. This PDF came from it.

Audio case-brief lectures.

Any decision becomes a podcast-style lecture - facts, issues, ruling, and doctrine - with read-along highlighting and a hands-free presentation mode. Study while commuting, working out, or resting your eyes.

Bar review built on the science of memory.

Complete, sequenced courses for all eight bar subjects, narrated like podcasts and reinforced with retrieval practice and spaced review - the study techniques with the strongest evidence behind them.

The full law-school curriculum.

One subscription unlocks the entire J.D. curriculum - every subject, every lesson, with your progress tracked down to the paragraph so you can pick up exactly where you left off, on any device.

Mock exams that tell you where you stand.

Timed multiple-choice exams graded instantly, with per-subject score breakdowns and focus suggestions that point you at your weakest topics first.

A study planner that keeps you on pace.

Set your schedule and BATAS tells you every day whether you are on track for bar day - and exactly which lesson to take next.

Start free at <https://batas.org>

The law library is free forever - and your first lesson is one click away.

The text of this document is an official public record and remains in the public domain. Formatting, presentation, and compilation © 2026 batas.org.

Downloaded free from the batas.org Law Library. Share it freely - the library is free for every law student, bar reviewee, and practitioner.