

file:cvpro_part_3_ia.htm

Read online (full-text search, related cases, audio case brief): <https://batas.org/library/17e08573f422/>

Civil Procedure A satisfied Microsoft Office User Normal JOJO 3 10 2002-01-10T09:03:00Z
2002-01-11T02:24:00Z 1 276 1575 sc 13 3 1934 9.2720 120

I. The Different Special Civil Actions

1. Interpleader

1. Requisites

- (1) The plaintiff claims no interest in the subject matter or his claim is not disputed;
- (2) There must at least be two (2) or more conflicting claimants;
- (3) The parties to be interpleaded must make effective claims; and
- (4) The subject matter must be one and the same.

2. Decisional Rules

Interpleader was found to be a proper action in an action of a lessee who does not know to whom to pay rentals due to conflicting claims on the property;³⁹⁰ and in an action by a bank where the purchaser of a cashier's check claims it was lost and another has presented it for payment.³⁹¹ It was however found to be improper in an action where defendants have conflicting claims against the plaintiff;³⁹² and an action where one of the defendants had earlier sued the plaintiff and secured a judgment against him which has already become final. The action is barred by laches or unreasonable delay.³⁹³

3. Procedural Peculiarities

3.1 Upon the filing of the complaint, the court shall issue an order requiring the conflicting claimants to interplead with one another.³⁹⁴

3.2 The court may direct in the same order mentioned in the preceding paragraph that the subject matter of the suit be paid or delivered to the court.³⁹⁵

3.3 The summons shall be accompanied by copies of the complaint and order mentioned in No. 1.

3.4 The defendants may file a motion to dismiss on the ground of the impropriety of the interpleader action or on other appropriate grounds specified in Rule 16.

3.5 The defendants shall serve a copy of the answer not only to the plaintiff but also to their co-defendants who may file their reply thereto.

3.6 The effect of a failure to plead within the prescribed period is that, upon motion, the defendant will be declared in default and thereafter renders judgment barring him from any claim in respect to the subject matter.

390 Pagkalinawan v. Rodas, 80 Phil. 281 [1948].

391 Mesina v. Intermediate Appellate Court, No. L-70145, November 13, 1986, 145 SCRA 497.

392 Beltran v. People's Homesite and Housing Corporation, No. L-25138, August 28, 1969, 29 SCRA 145.

393 Wack Wack Golf and Country Club, Inc. v. Won, No. L-23851, March 26, 1976, 70 SCRA 165.

394 Rules of Court, Rule 62, Sec. 2.

395 Ibid.

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.