

ARMANDO D. AMFIL PETITIONER, VS. THE HONORABLE JUDGE CORAZON JULIANO-AGRAVA, ET AL., RESPONDENTS.

G.R. No. L-27394. October 13, 1967

Ponente: DIZON, J.

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DIZON, J.:

In his petition for certiorari filed on March 31, 1967, petitioner prayed for the issuance of a writ of preliminary injunction temporarily restraining the respondents from enforcing and/or executing the order marked as Annex D attached thereto, at any time during the pendency of the present case. We granted the petition for the issuance of the writ aforesaid upon the filing of a P1,000.00 bond.

We have now before Us a motion filed by respondent Antonio M. Perez praying that said writ be lifted as against him and that petitioner be ordered to deliver to him the properties covered by Transfer Certificates of Title Nos. 24927 and 24928 of the City of Manila, said properties having been already awarded to him by virtue of a compromise agreement entered into between the parties in G. R. No. L-19711 and approved by Us on November 17, 1966.

Our resolution of August 30, 1967 required petitioner to comment, within five days from notice, on the aforesaid motion, but the record shows that up this time no such comment has been submitted by him.

It being a fact that the compromise agreement mentioned heretofore was approved by Us; that by virtue thereof the properties covered by Transfer Certificates of Title Nos. 24927 and 24928 of the City of Manila were awarded to respondent Antonio M. Perez, and that said certificates of title are presently in the possession of petitioner, petitioner is hereby ordered to deliver said certificates of title to respondent Antonio M. Perez, upon the filing and approval of a bond in the sum of P25,000.00 answerable for whatever damages may be suffered by him (petitioner) in connection with his claim for attorney's fees against his former client, Angela Tuason de Perez, by reason of the lifting of the writ of preliminary injunction mentioned heretofore.

Reyes, J.B.L., Makalintal, Zaldivar, Sanchez, Castro, Angeles, and Fernando, JJ., concur.

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