

CONRADO G. VALES, PETITIONER, VS. HON. VIRGINIA HOFILEÑA-EUROPA, PRESIDING JUDGE OF THE REGIONAL TRIAL COURT OF DAVAO CITY, BRANCH XI, AND FRANCISCO G. VALES, RESPONDENTS.

Ponente: SINGH, J.

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SINGH, J.:

Petitioner Conrado G. Vales filed a Petition for Certiorari with Application for Temporary Restraining Order (“TRO”) under Rule 65 of the Revised Rules of Court seeking the annulment of the Orders dated 1 August 2014[1] and 13 October 2014[2] both issued by public respondent Hon. Virginia Hofileña-Europa, Presiding Judge, Branch 11, Regional Trial Court (“RTC”), Davao City.

In compliance with the Minute Resolution dated 19 November 2014,[3] the petitioner submitted a Postal Money Order in the amount of Php150.00 as payment for the deficiency in the prescribed docket fees for the Petition.[4]

The private respondent Francisco G. Vales filed his Comment on the Petition on 19 December 2014[5] to which the petitioner filed a Reply on 23 January 2015.[6]

As the propriety of the application for the issuance of a writ of preliminary mandatory injunction is also the same issue to be resolved on the merits in this Petition and considering that the parties have submitted their respective Comment and Reply, the Court hereby submits the case for decision together with the application for injunctive relief.

WHEREFORE, the Court hereby NOTES the following:

1. The Compliance filed by the petitioner;
2. The Comment filed by the private respondent; and
3. The Reply to the Comment of Private Respondent.

The instant petition is now submitted for decision.

SO ORDERED.

Borja, J., Ch., and Badelles, JJ., concur.

[1] Rollo, pp. 23-24.

[2] Rollo, p. 25.

[3] Rollo, p. 247.

[4] Rollo, pp. 248-250.

[5] Rollo, pp. 252-284.

[6] Rollo, pp. 285-291.

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