

VIRGINIA G. ESCALDERON, EVANGELINE E. MEDEL, AMELIA E. DOPENO REP. BY APRIL JOY E. DOPENO, ATTORNEY-IN-FACT, ET. AL., PETITIONERS, VS. LETICIA C. TUMBALI, RESPONDENT.

Ponente: VELOSO, J.

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VELOSO, J.:

The Court is constrained to DISMISS[1] outright the instant Petition for Certiorari[2], dated September 12, 2014, on account of its infirmities, viz.:

1. The petition failed to state the full names of all the petitioners in the title[3] of the case. Petitioners used “et.al.”[4] instead of spelling out the names of the other petitioners, in violation of Sections 2 and 3, Rule 46, Rules of Court, as amended; and
2. The petition failed to implead as party respondent, the Regional Trial Court of Manila, Branch 22, which rendered the assailed Decision[5] dated March 27, 2012 and Order[6] dated June 30, 2014, in violation of the same Rules.

A party seeking the extraordinary remedy of certiorari must observe the rules laid down by law. Non-observance of said rules may not be brushed aside as mere technicality, for while it is true that a litigation is not a game of technicalities and that the rules of procedure may not be strictly enforced at the expense of substantial justice, it does not, on the other hand, mean that the Rules of Court may just be ignored at will and at random to the prejudice of an orderly presentation and assessment of the issues as well as the just resolution of a case.[7]

Moreover, it is axiomatic that rules of procedure must be faithfully followed except only when, for persuasive and weighty reasons, they may be relaxed to relieve litigants of an injustice commensurate with their failure to comply with the prescribed procedure.[8] Here, petitioners did not present any persuasive and weighty reason to exempt them from complying with the requirements of the Rules. ACCORDINGLY, the instant Petition is DISMISSED.

SO ORDERED.

Antonio-Valenzuela,[*] and Salandanan-Manahan,**] JJ., concur.

[*] Acting Senior Member, per Office Order No. 451-14-ABR dated October 29, 2014.

[**] Acting Junior, Member, per Office Order No. 451-14-ABR dated October 29, 2014.

[1] Section 5, Rule 46, Rules of Court, as amended.

[2] Rollo, p. 3.

[3] Section 1, Rule 46, Rules of Court, as amended.

[4] Supra, Note 2.

[5] Rollo, p. 57.

[6] Ibid., p. 96.

[7] Sea Power Shipping Enterprises, Inc. vs. Court of Appeals, 360 SCRA 173, 181 (2001).

[8] Navarro vs. Metrobank, 429 SCRA 439, 446 (2004).

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