

**MANUEL REGALADO, ET AL., PETITIONERS AND APPELLANTS, VS.
THE PROVINCIAL CONSTABULARY COMMANDER OF NEGROS
OCCIDENTAL, RESPONDENT AND APPELLEE.***G.R. No. L-15674. November 29, 1961*

Ponente: DIZON, J.

Read online (full-text search, related cases, audio case brief): <https://batas.org/library/fc0e196aeb34/>**DIZON, J.:**

Petitioners are engaged in the deep-sea fishing business. They used to buy ice from an ice plant in Eacolod City to be sent to Cadiz, Occidental Negros, for use in said business. Complying with the request made by the Public Service Commission, the respondent Provincial Commander of the Philippine Constabulary in Occidental Negros prevented the entry into Cadiz of the ice thus bought by petitioners. For this reason the latter filed in the Court of First Instance of said province the present action for injunction. Their prayer for the issuance of writ of preliminary injunction against respondent was granted, but after trial upon an agreed stipulation of facts, the court dismissed the case and dissolved the aforesaid preliminary writ. Thereupon petitioners interposed the present appeal, claiming that said court erred in holding¹ that it had no jurisdiction to grant an injunction against respondent and,. consequently, in dismissing the case.

Inasmuch as it is not denied that respondent, in preventing the entry into Cadiz of the ice purchased by petitioners in Bacolod City, was merely enforcing an order of the Public Service Commisison upon the latter's request, it seems clear that an injunction issued against him would in effect be one against said Commission. In fact, the latter should have been made a party defendant. We believe, therefore, that in dismissing" the case the lower court did not commit any error because we have held heretofore that a Court of First Instance has no authority to issue an injunction against the Public Service Commission or any other court or semi judicial body of equal rank (*Iloilo Commercial vs. Public Service Commission*, 56 Phil., 38).

Moreover, for practical purposes, the injunction sought by petitioners has already become unnecessary considering that in G. R. No. L-15300 [*] filed by the same petitioners against the same Provincial Commander of the Philippine Constabulary in Occidental Negros and other parties—an action originally instituted in this Court—we declared void the order of the Public Service Commission herein in question and issued a final injunction against therein respondents restraining them from in any manner enforcing the same.

Wherefore, the decision appealed from is affirmed, with costs.

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

[*] 108 Phil., 27; 58 Off. Gaz., [27] 4856.

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.