

STO. NIÑO DEVELOPMENT CORPORATION, PETITIONER, VS. BRICCIO SANTOS, RESPONDENT.

G.R. No. 131570. April 21, 1999

Ponente: GONZAGA-REYES, J.

Read online (full-text search, related cases, audio case brief): <https://batas.org/library/g-r-no-131570/>

GONZAGA-REYES, J.:

This refers to the Joint Motion to Dismiss^[1] signed by Marino G. Santos as representative of the Sto. Niño Development Corporation and as agent of Luis G. Santos, Jr., Margarita Santos-Gaillochet, Lucia Santos-Mota, Ana Santos-de los Santos, and Peter Dennis G. Santos; Briccio G. Santos; and Catalina G. Santos also as representative of the Sto. Niño Development Corporation. The parties are assisted by their respective counsels Saguisag & Associates and Breva & Breva Law Office.

In their joint motion, the parties alleged that, being brothers and sisters, they have settled their differences, thus putting an end to their family quarrels and all their legal disputes that have arisen therefrom; that as part of the compromise, Briccio G. Santos, the eldest, has executed a deed of transfer reconveying 75% of the property known as the Sto. Niño property and has further agreed to pay reasonable premiums to be discussed on the balance of the purchase price to the unpaid co-owners of the property known as the Malvar property to include Marino G. Santos for the improvements he introduced therein; and that the parties have agreed to the mutual withdrawal of all pending actions and proceedings initiated by the respective parties against the other. They pray for the dismissal of the following cases:

- G. R. No. 131570 entitled Sto. Niño Development Corporation vs. Briccio G. Santos, which is the present Petition for Review on Certiorari pending before this Court from the order of dismissal of the complaint for Reconveyance, Declaration of Nullity or Unenforceability of Contract and Damages initially filed before the Regional Trial Court of Davao City, Branch 14 in Civil Case No. 24,622-96;
- Civil Case No. 25,448-97 entitled Luis Santos, Jr. et al. vs. Briccio G. Santos, for Rescission and Damages pending with the Regional Trial Court of Davao City, Branch 8; and,
- Civil Case No. 26,180-98 entitled Briccio G. Santos vs. Marino G. Santos, et al. for Unlawful Detainer pending with the Regional Trial Court of Davao City, Branch 17.

The parties further pray that the Register of Deeds of Davao City be ordered to remove the Notice of Lis Pendens on the following transfer certificates of title:

TCT No. T-251624 TCT No. T-251631

TCT No. T-251625 TCT No. T-251632

TCT No. T-251626 TCT No. T-251633

TCT No. T-251627 TCT No. T-251634

TCT No. T-251628 TCT No. T-251635

TCT No. T-251629 TCT No. T-251636

TCT No. T-251630 TCT No. T-251637

all in the name of Briccio G. Santos. These TCTs are the subject of the complaint in Civil Case No. 24,622-96 which case is now before this Court by virtue of a petition for review on certiorari.

The parties likewise pray that in Civil Case No. 25,488-97, the Regional Trial Court of Davao City, Branch 8 order the removal of the notice of lis pendens annotated in TCT No. 257728 in the name of Briccio G. Santos.

What is before this Court is the petition for review on certiorari (docketed as G.R. No. 131570) from the order of the Regional Trial Court of Davao City, Branch 14 which dismissed Civil Case No. 24,622-96 for lack of jurisdiction on the ground that the parties of the case are stockholders of the same corporation and the issues to be resolved were within the jurisdiction of the Securities and Exchange Commission.[2] However, the two (2) civil cases aforementioned (nos. 25,448-97 and 26,180-98) are still pending before the Regional Trial Courts over which this Court cannot assume jurisdiction by the mere expedient of filing the instant motion to dismiss.

Considering that the joint motion to dismiss the present case was signed by the parties herein and assisted by their respective counsels and that it is not contrary to law, public order, public policy, or good morals, the Court RESOLVES to PARTIALLY GRANT the same. Accordingly, the instant case, G.R. No. 131570, is DISMISSED.

However, as regards Civil Cases Nos. 25,448-97 and 26,180-98, the joint motion to dismiss should properly be addressed to the trial courts where the said cases are pending.

SO ORDERED.

Romero, (Chairman), Vitug, Panganiban, and Purisima, JJ., concur.

[1]pp. 161-166, Rollo.

[2] Order of September 3, 1997, Appendix "A" of the Petition, p. 29, Rollo.

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.