

R. S. PANGILINAN & CO., INC., PETITIONER, VS. HON. JUDGE L. PASICOLAN, ETC., ET AL., RESPONDENTS.

G.R. No. 13317. April 25, 1960

Ponente: CONCEPCION, J.

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CONCEPCION, J.:

This is an original action for a writ of certiorari with preliminary injunction, which was issued by this Court upon the filing of the requisite bond.

In an amended complaint filed in Civil Case No. 1088 of the Court of First Instance of Pampanga, initiated on June 25, 1956, petitioner, It. S. Pañgilinan & Co. Inc., was sued by respondents herein, excluding respondent Judge L. Pasicolan, or thirty-two (32) plaintiffs therein, for services allegedly rendered as laborers in the construction of Floodgate No. 1 of the River Control in the municipalities of Macabebe and Masantol, province of Pampanga, along the Bebe-San Esteban diversion channel. It was alleged in Paragraph III of said amended complaint that the plaintiffs therein and respondents herein (except respondent Judge) had "furnished labor for the defendant (petitioner herein) in the construction of said Floodgate No. 1, as laborers with compensation at the rates hereinbelow stated, from November 14, 1955 to March 10, 1956, for so many number of days hereinafter mentioned, and have earned and received the following:

Name of Laborer Number

of Days Rate

Per Day Wages

Due Amount

Paid Balance

Due

Jose Manansala

88 P5.00 440.00 140.00 300.00

Gregorio Manansala

88 5.00 440.00 140.00 300.00

Primitivo Manansala

88 5.00 440.00 140.00 300.00

Leonardo F. Manansala

83½ 4.00 344.00 134.00 200.00

Reynaldo Calma

83½ 4.00 344.00 134.00 200.00

Antonio Garcia

34 4.00 136.00 36.00 100.00

Emiliano S. Manansala

71½ 4.00 286.00 100.00 186.00

Onofre Coronel

33 4.00 132.00 32.00 100.00

Isidro Manansala

8 4.00 32.00 none 32.00

Pedro Manansala

40½ 4.00 162.00 62.00 100.00

Emiliano Manansala

84 4.00 336.00 136.00 200.00

Jesus Gaddi

59 4.00 236.00 100.00 136.00

Bienvenido Calma

75½ 4.00 302.00 102.00 200.00

Eulogio Bautista 8 4.00 32.00 4.00 28.00

Amado Manuyag

6 4.00 24.00 none 24.00

Federico Nieto

73 4.00 294.00 94.00 200.00

Pedro G. Manansala

34 4.00 136.00 40.00 96.00

Alfredo O. Castro

41 4.00 164.00 64.00 100.00

Demetrio Manuyag

69½ 4.00 278.00 100.00 178.00

Romualdo Tullao

9 4.00 36.00 none 36.00

Gregorio Tolentino

67 4.00 268.00 68.00 200.00

Luciano Tolentino

41 4.00 164.00 64.00 100.00

Atiliano Tolentino

29 4.00 116.00 40.00 76.00

Arturo Bengco 6 4.00 24.00 none 24.00

Martin Mendoza

6½ 4.00 26.00 none 26.00

Leon Angeles

65 4.00 260.00 100.00 160.00

Rudencio Manansala

58½ 4.00 234.00 134.00 100.00

Guillermo Manansala

88 P5.00 P440.00 P140.00 P300.00

Amado Manansala

23 4.00 92.00 40.00 52.00

Teodoro Manansala

79 5.00 395.00 195.00 200.00

Ricardo S. Manansala

74 4.50 333.00 133.00 200.00

Prudencio Nieto

43 4.00 172.00 72.00 100.00

Total

P7,098.00 P2,544.00 P4,554.00

and that, despite demands made, petitioner herein had failed and refused to pay the aggregate balance of P4,554.00 thus still due to the aforementioned laborers, who, accordingly, prayed for judgment against petitioner herein for said sum of P4,554.00, plus P500 as attorney's fees, and not less than P10,000, by way of actual, moral, consequential, and exemplary damages.

Petitioner herein alleges that, during the trial of said case, respondent Judge Pasicolan, who presides over the lower court, entertained doubts on its jurisdiction to hear the case, the amount claimed by each plaintiff therein being much less than P2,000, the minimum amount of the original jurisdiction of courts of first instance, at that time, in civil cases susceptible of pecuniary estimation, and, accordingly, required the parties to submit memoranda thereon. Thereafter, or on October 24, 1957, respondent Judge, relying upon the decision of this Court in *Campos Rueda Corporation vs. Sta. Cruz Timber Company, Inc.* (98 Phil., 627; 52 Off. Gaz., 1389) reach the conclusion that case No. 1088 is within the jurisdiction of the lower court, and issued an order for the reception of the evidence necessary for the determination of the merits of the amended complaint. A reconsideration of said order having been denied by respondent Judge, petitioner herein instituted the case at bar, with the prayer that the lower court be declared to have no jurisdiction to entertain said civil case No. 1088 and ordered to dismiss the same with costs.

Although duly summoned, none of respondents cared to answer the petition herein, but their counsel, as well as that of petitioner herein, argued orally at the hearing of the present case. Hence, the same was submitted for our decision upon the verified allegations of the petition herein and the copies of the pleadings and orders annexed thereto.

In the aforementioned *Campos Rueda* case, upon which the order appealed from is predicated, there was only one plaintiff-creditor, although there were two (2) defendants-debtors. Such is not the situation obtaining in Civil Case

No. 1088, in which there are 32 plaintiffs, the claim of each one of whom is entirely distinct and separate from that of the others, and the individual claims for wages range from P24 to P300, apart from the share of each claimant in the attorney's fees and damages sought to be recovered, amounting to less than P829.00. Thus, no individual claim exceeds altogether P330, which is within the original exclusive jurisdiction of justice of the peace and municipal courts. Although the amended complaint in Civil Case No. 1088 alleges in paragraph II thereof that plaintiffs therein were hired "collectively" by an alleged representative of petitioner herein, the above quoted paragraph III in said amended complaint shows that plaintiffs therein and respondents herein were hired at different rates of daily wages and for different periods of time; that said plaintiffs therein and respondents herein consider that the balance of the amounts of wages specified after their respective names is due to each of them; that the latter do not claim to have any right or interest in what is thus allegedly due the others; and that they do not pretend or assert to have a collective right to the sum of P4,554.00 representing the aggregate total of their alleged individual credits.

Considering that the latter are not joint or indivisible; that each one of the aforementioned plaintiff could, have legally sued on their individual claims without running counter to the principle against the splitting of a cause of action; and that had any one of them chosen to sue for what is allegedly due him, the decision rendered on his claim would not bar the action of the others, it is apparent that said Case No. 1088 falls squarely within the purview of *A. Soriano y Cia vs. Jose* (86 Phil., 523, 47 Off. Gaz., [12th Supp.] 156) and *International College Inc. vs. Argonza*, (90 Phil., 470), and that the amount of each separate claim, not the sum total of all claims, is determinative of the jurisdiction of the lower court. Indeed, although in the *Campos Rueda* case this Court held that "the jurisdiction of the court depends upon the totality of the demands, in all the causes of action, irrespective of whether plural causes constituting the total claim arose out of the same or different transactions" we, likewise, declared that this rule is subject to two exceptions, one of which is "where the claims joined under the same complaint are separately owed by or due to different parties"—as in civil case No. 1088—in which event "each separate claim furnishes the jurisdictional test." This rule was, on August 1, 1959, incorporated in section 88 of the Judiciary Act of 1948, as amended by Republic Act No. 2613.

The facts in the Soriano case were:

"* * * Alleging that prior to August 28, 1948, A. Soriano y Cia, engaged the plaintiffs as employees or laborers at its surplus department at Sta. Mesa yard in different capacities, and that on diverse dates between May 17 and September 80, 1948, Soriano y Cia, had dismissed them without cause, the plaintiffs, twenty-nine in number, brought a joint complaint in the municipal court, which was docketed as civil case No. 6058, against their former employer, praying that judgment be rendered sentencing the defendant to pay each of them one month salary in lieu of 30 days' notice. The total of the claim is P5,235, and the largest single claim is P300. Contending that the municipal court had no jurisdiction to try the action because the amount of the demand exceeded P2,000, exclusive of interest and costs, the defendant filed a motion to dismiss, and, after that motion was denied, instituted proceedings for certiorari in the Court of First Instance, the result of which is stated at the outset of this decision."

Referring to the issue of jurisdiction, this Court, speaking through Mr. Justice Tuason, expressed itself as follows:

"* * * In *Hackner vs. Guaranty Trust Co. of New York* (4 Fed. Rules Serv., 378; U.S. Circuit Court of Appeals, Second Circuit, Jan. 13, 1941; 117 F. [2d], 95), it was held that, 'When two or more plaintiffs, each having a separate and distinct demand, join in a single suit, the demand of each must be of the requisite jurisdictional amount. Aggregation of the claims to make up the jurisdictional amount is permitted only if the claims are of a joint nature, as when it is sought to enforce a single right in which plaintiffs have a common interest.' As *American Jurisprudence* Vol. 14, p. 413, puts it, 'Where several claimants have separate and distinct demands against a defendant or defendants, which may properly be joined in a single suit, the claims,

can not be added together to make up the required jurisdictional amount; each separate claim furnishes the jurisdictional test.'

"The petitioner believes that the joining of plaintiffs having separate claims should be controlled by the principle bearing on the court's jurisdiction in suits where one plaintiff alleges in one complaint several independent causes of action, in which case it is the aggregate amount which determines the jurisdiction. But there is a fundamental difference between such cases and one like that before us. In the first, the total demand accrues to one person, while in the latter only part of the combined demand, which does not exceed the jurisdictional amount, pertains to a single plaintiff. In other words, the court takes into account what one party would recover and not what is adjudged to all parties or some of them."

For these reasons, we upheld the jurisdiction of the municipal court to hear and decide the main case. This view was reiterated in the case of the International Colleges Inc., involving 25 dismissed teachers thereof, who jointly sued said entity, in the municipal court, for unpaid salaries, all aggregating P14,211.13, but with the highest individual claim not exceeding P1,300. In a unanimous decision, we declared that the case was within the jurisdiction of the municipal court.

The amended complaint against petitioner herein in the aforementioned Civil Case No. 1088 in effect sets up several causes of action due to different parties, which causes of action are within the jurisdiction of justice of the peace courts and beyond that of the courts of first instance, for which reason the writ prayed for is granted and the writ of preliminary injunction issued by this Court hereby made permanent, with costs against the main respondents. It is so ordered.

Paras, C. J. Bengzon, Montemayor, Bautista Angelo, Labrador, Reyes, J. B. L., Barrera, and Gutierrez David, JJ., concur.

Padilla and Endencia, JJ., took no part.

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