

CONRADO PINEDA, SPOUSES DOMINADOR DE GUZMAN AND SOFIA DE GUZMAN, AND GRAYBAR MARKETING AND ELECTRICAL SERVICES CORPORATION, REPRESENTED BY ITS PRESIDENT AND GENERAL MANAGER, JOA...

G.R. NO. 143482. April 13, 2007

Ponente: GARCIA, J.

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GARCIA, J.:

Under consideration is this petition for review on certiorari to reverse and set aside the Decision[2] dated 08 June 2000 of the Court of Appeals (CA) in CAG.R. SP No. 47706, which affirmed the Orders dated 22 April 1998 and 07 May 1998 of the Regional Trial Court (RTC) of Quezon City, Branch 101, in its Civil Case No. Q45767, a petition for injunction with damages thereat instituted by other lot owners similarly situated as the herein petitioners, against the same private respondent Bishop Eraño Manalo in this case, also in his capacity as titular and spiritual head of the Iglesia ni Kristo (I.N.K.).[3]

The relevant facts which have bearing to the RTC orders being questioned in this case may be summarized as follows:

Herein petitioner Conrado Pineda claims to be the true and absolute owner of a parcel of land known as Lot 1, Blk. 4, of Sitio Mabilog, Barangay Culiati, Quezon City and covered by Transfer Certificate of Title (TCT) No. RT-68601 (263547) issued by the Register of Deeds of Quezon City. Co-petitioner spouses Dominador and Sofia de Guzman likewise claim to be the owners of Lot 2, Blk. 4, also of Sitio Mabilog, Barangay Culiati, Quezon City, with TCT No. 263487 also issued by the Register of Deeds of Quezon City. The other co-petitioner Graybar Marketing and Electrical Services Corporation (Graybar, for brevity), on the other hand, avers that it is the owner of Lot 7, Blk. 2, likewise of Sitio Mabilog, Barangay Culiati, Quezon City and covered by TCT No. 61197 which was purchased from Spouses Virgilio Ocampo and Ma. Lourdes Ocampo. All the herein petitioners were in actual and physical possession of their respective aforementioned lots. They further assert that they introduced permanent improvements on their respective residences and/or their businesses thereat.[4]

On 22 August 1985, in the RTC of Quezon City, Augusto M. de Leon, Jose de Castro, Jose A. Panlilio, Felicidad Vergara Vda. De Pineda, Fernando L. Vitug I, Fernando M. Vitug II, Fernando M. Vitug III, and Faustino Tobia, claiming to be title holders[5] and possessors of their respective lots in Sitio Mabilog, Barangay Culiati, Quezon City filed a petition for injunction with damages against private respondent Bishop Eraño Manalo, as the titular and spiritual head of I.N.K., to prevent the said private respondent from fencing the premises of the said petitioners. The petition was docketed as Civil Case No. Q-45767 and raffled to Branch 101 of the court presided by Judge Pedro T. Santiago (respondent judge). That petition was later amended to include Elena Ostrea and Feliza C. Cristobal-Generoso as additional petitioners therein. For convenience, we shall refer to the petitioners in Civil Case No. Q-45767 as Augusto M. de Leon, et al.

In an Order dated 7 August 1987, Judge Santiago dismissed Civil Case No. Q-45767. Therein petitioners Augusto

de Leon, et al. appealed the order of dismissal to the CA, which denied the same. From the CA, the case was elevated to this Court and docketed as G.R. No. 83280, entitled Augusto M. de Leon, et al. v. the Honorable Court of Appeals and Bishop Eraño Manalo. In the meantime, Virginia Calalang, who also bought a subdivision lot in Sitio Mabilog, Barangay Culiati, Quezon City from Amado Clemente, had a pending case with this Court — G.R. No. 76265 — entitled Virginia Calalang v. Register of Deeds of Quezon City, et al., against the same private respondent I.N.K., represented by Bishop Eraño Manalo. Upon the instance of Virginia Calalang, these two cases, i.e., G.R. No. 83280 and G.R. No. 76265 which both involved Lot 671 in Barangay Culiati, Quezon City, were consolidated and eventually dismissed by this Court in 1992 in a joint decision which is now known as the Calalang decision (208 SCRA 215). The motion for reconsideration filed by the petitioners in those consolidated cases was likewise denied by this Court in a resolution of 1994 (231 SCRA 106).

On 10 November 1994, herein private respondent I.N.K. filed in Civil Case No. Q-45767 a motion[6] for the issuance of an order to implement and/or enforce the Calalang decision against therein petitioners Augusto de Leon, et al. In an Order[7] dated 13 December 1994, the respondent judge granted I.N.K.'s motion. In part, the order dispositively reads:

WHEREFORE, considering that the petition for Review on Certiorari and the Motion for Reconsideration instituted by the petitioners [de Leon, et al.] has already been resolved with finality by the Honorable Supreme Court, the Motion for enforcement of the Higher Court's decision is hereby GRANTED, thus:

(1) Allowing I.N.K. and/or Bishop Manalo to continue fencing of the premises in question and to proceed with the construction of the structures which were earlier suspended; and

(2) Allowing and/or authorizing respondent I.N.K. and/or Bishop Manalo to exercise rights of possession and ownership over the premises in question.

Consequently, herein petitioners [Augusto M. de Leon, et al.] are hereby ordered to vacate the portions respectively claimed and/or occupied by them and to turn over the possession thereof to I.N.K.

SO ORDERED. (Words in bracket supplied.)

On 25 January 1995, I.N.K. filed in the same Civil Case No. Q-45767 a motion for the issuance of a writ of execution in relation to the aforementioned Order of 13 December 1994, which motion was granted by the respondent judge in his Order dated 10 February 1995. On 02 August 1995, therein petitioners Augusto de Leon, et al. filed an urgent motion to vacate the writ of execution, which I.N.K. opposed. On 15 November 1995, the respondent judge eventually denied Augusto de Leon, et al.'s motion to vacate the writ of execution.

Then, on 14 March 1996, I.N.K. filed, again in Civil Case No. Q-45767, an Ex-Parte Motion for Issuance of an Alias Writ of Execution, which the respondent judge granted on 15 March 1996.

The present controversy cropped up when, two years thereafter, or on 31 March 1998, I.N.K. filed in the same Civil Case No. Q-45767 another Ex-Parte Motion for Issuance of an Alias Writ of Execution, this time against the herein petitioners Conrado Pineda, the spouses Dominador de Guzman and Graybar, among several others. In the herein first assailed Order[8] dated 22 April 1998, the respondent judge granted I.N.K.'s aforesaid ex-parte motion for issuance of an alias writ of execution against the herein petitioners. In full, the Order reads:

Acting on the Ex-Parte Motion for the Issuance of an Alias Writ of Execution filed by respondent [I.N.K.] on March 31, 1998 to include Joaquin Bagadiong, Dominador de Guzman and Conrado Pineda, finding the same justified considering the decision of the Honorable Supreme Court dated March 11, 1994 in G.R. No. 83280 and this Court having already granted an Order dated November 15, 1995 similar to the instant respondent's motion, consequently the said Ex-parte motion is hereby GRANTED.

Deputy Sheriff Efren Cachero of this Court is hereby ordered to eject the aforementioned Joaquin Bagadiong, Dominador de Guzman and Conrado Pineda from the premises of the movant-respondent Bishop Eraño G. Manalo of the Iglesia Ni Cristo.

SO ORDERED.

It was only on 24 April 1998 when Sheriff Efren B. Cachero actually served to the herein petitioners copies of the assailed 22 April 1998 Order and the corresponding 2nd Alias Writ of Execution. It was only then that the herein petitioners learned for the first time about the existence of such Alias Writ against them.

On 29 April 1998, upon the ground that they were not parties to Civil Case No. Q-45767 and that they were not notified of I.N.K.'s motion for the issuance of an alias writ against them, petitioners filed in the same case an Urgent Motion to Cancel and Recall the 2[nd] Alias Writ of Execution, which motion they set for hearing on 8 May 1998. Before the motion could be heard on the date therein requested, I.N.K. filed an opposition thereto on 05 May 1998, which opposition was allegedly received by the herein petitioners only on 13 May 1998.

On the basis of the allegations of the herein petitioners in their aforementioned Urgent Motion to Cancel and Recall 2[nd] Alias Writ of Execution, and I.N.K.'s opposition thereto, the respondent judge, without conducting any hearing on the said urgent motion, issued the herein second assailed Order dated 07 May 1998,[9] the full text of which reads:

Plaintiffs [now petitioners] filed an Urgent Motion to Cancel and Recall 2nd Alias Writ of Execution on the following grounds: That plaintiff-movants were not afforded due process in the issuance of the Order dated April 22, 1998 of this Court and the corresponding 2nd Alias Writ of Execution issued on April 23, 1998; that movants were not parties to G.R. No. 83280 and therefore, this Court has no jurisdiction over them and that the issues of movants titles and their possession are pending in Br. 80 (Civil Case No. 49900) and in Br. 225 (Civil Case No. 95-25583).

Respondent [I.N.K./Bishop Manalo] alleged in his Opposition that he is entitled to a Writ of Execution as a matter of right considering that the judgment declaring lawful ownership of said respondent has long become final and executory.

That Civil Case No. 49900 is an action for annulment and cancellation of the TCTs of several defendants, however, the Honorable Supreme Court rendered a decision in the consolidated cases of Calalang and De Leon dismissing the petition and declaring respondent I.N.K.'s title over Lot 671 uncontrovertible and indefeasible.

That Civil Case No. 95-25583 involves the validity of the closure by I.N.K. of a portion of Abenojar Street which is but an exercise of its dominical rights.

After evaluating the arguments of both parties, decisive on the incident is the decision of the Supreme Court in favor of the respondent I.N.K., represented by its titular and spiritual head Bishop Eraño G. Manalo, sustaining its ownership over the subject Lot 671, this Court could do no less but to follow and give substantial meaning to its ownership which shall include all dominical rights by way of a Writ of Execution. To delay the issuance of such writ is a denial of justice due the I.N.K.

WHEREFORE, premises above considered, finding no merit in plaintiffs' [now petitioners'] Urgent Motion to Cancel and Recall 2nd Alias Writ of Execution, the same is hereby DENIED.

The Order of this Court dated April 22, 1998 and the 2nd Alias Writ of Execution issued on April 23, 1998 STAND.

SO ORDERED. (Words in brackets added.)

On the same day — 07 May 1998 — Sheriff Cachero effected the enforcement of the 2[nd] Alias Writ of Execution

by evicting the herein petitioners from their claimed properties.

Herein petitioners went to the CA via a petition for certiorari and prohibition with prayer for a writ of preliminary injunction and/or temporary restraining order and preliminary mandatory injunction with damages, thereat docketed as CA-G.R. SP No. 47706, claiming that the respondent judge committed grave abuse of discretion in issuing the 2[nd] Alias Writ of Execution, without notice and hearing, against them even as they were not parties to the injunction suit (Civil Case No. Q-45767). They further argued that the Calalang decision merely affirmed the respondent judge's dismissal of the injunction suit (Civil Case No. Q-45767) and therefore, there was nothing for said respondent to execute.

After hearing the parties on oral arguments and upon submission of their respective memoranda, the appellate court, in its herein assailed Decision of 08 June 2000, denied the petition in CA-G.R. SP No. 47706 and affirmed the assailed orders of the respondent judge in Civil Case No. Q-45767, to wit:

WHEREFORE, in view of the foregoing, the Petition is DENIED. The April 22, 1998 and May 7, 1998 Orders of Judge Pedro T. Santiago are hereby AFFIRMED. No pronouncement as to costs.

SO ORDERED.

Hence, the petitioners' present recourse claiming that the CA erred —

I.

XXX IN UPHOLDING THE VALIDITY OF THE 2[ND] ALIAS WRIT OF EXECUTION THAT WAS ISSUED BY THE RESPONDENT JUDGE DATED APRIL 22, 1998 IN CIVIL CASE NO. 45767, UPON AN EX-PARTE MOTION OF PRIVATE RESPONDENT, FOR THE INCLUSION OF PETITIONERS IN THE WRIT FOR THE FIRST TIME, WITHOUT NOTICE TO PETITIONERS NOR WAS IT SET FOR HEARING, WHEN THE MOTION ADVERSELY PREJUDICED THE RIGHTS OF PETITIONERS, IN VIOLATION OF THE MANDATORY PROVISIONS OF THE RULES OF COURT.

II.

XXX IN UPHOLDING THE ORDER OF THE RESPONDENT JUDGE DATED MAY 7, 1998 DENYING THE URGENT MOTION TO RECALL THE 2[ND] ALIAS WRIT OF EXECUTION FILED BY PETITIONERS WITH NOTICE OF HEARING ON MAY 8, 1998 AT 8:30 A.M., BEFORE PETITIONERS COULD BE HEARD, NOR WITHOUT GIVING THEM AN OPPORTUNITY TO COMMENT ON THE OPPOSITION OF PRIVATE RESPONDENT TO THEIR URGENT MOTION.

III.

XXX IN UPHOLDING THE ENFORCEMENT OF SAID 2[ND] ALIAS WRIT OF EXECUTION OF THE JUDGMENT OF THIS HONORABLE COURT IN CALALANG WHICH ONLY RESULTED IN THE DISMISSAL OF THE PETITION FOR INJUNCTION SO THERE WAS NOTHING TO EXECUTE.

IV.

XXX IN UPHOLDING THE VALIDITY OF SAID 2[ND] ALIAS WRIT OF EXECUTION AGAINST PETITIONERS OF A JUDGMENT IN THE CASE TO WHICH THE PETITIONERS WERE NOT PARTIES NOR PRIVIES.

V.

XXX IN ACTING BEYOND THE ISSUES BEFORE IT AND BY INTRUDING INTO THE ISSUE OF THE RIGHT OF PETITIONERS TO BE MAINTAINED IN THE PEACEFUL POSSESSION OF THEIR TITLED PROPERTIES WHICH WAS PENDING IN A SEPARATE CASE FILED BY PETITIONERS IN THE RTC

OF QUEZON CITY DOCKETED AS CIVIL CASE NO. Q9525583 ASSIGNED TO BRANCH 225.

VI.

XXX IN INTRUDING INTO THE ISSUE OF OWNERSHIP OF PETITIONERS OF THEIR TITLED PROPERTIES WHICH IS THE SUBJECT MATTER OF THE SEPARATE CASE BETWEEN THE REPUBLIC OF THE PHILIPPINES AND PETITIONERS PENDING IN BRANCH 80 OF THE SAME COURT DOCKETED AS CIVIL CASE NO. 49900.

We GRANT the petition.

While we commend the good intentions and concern of the two courts below to dispense justice, in the same vein, however, we must declare in this instance that rules on jurisdiction and procedure must prevail.

To our mind, the respondent judge committed grave abuse of discretion when he granted, via his Order of 22 April 1998, I.N.K.'s motion for an alias writ of execution in Civil Case No. Q-45767 and ordered Deputy Sheriff Efren Cachero to eject Joaquin Bagadiong, the herein petitioners Conrado Pineda, the spouses Dominador de Guzman and Sofia de Guzman and Graybar from the premises of I.N.K.

A closer and more detailed review of the proceedings in Civil Case No. Q-45767 is necessary to put the issue of grave abuse of discretion in its proper perspective.

Right off, it must be stressed that Civil Case No. Q-45767 commenced with the filing of a petition for injunction with damages by Augusto M. de Leon, et al. against private respondent Bishop Eraño Manalo as the titular and spiritual head of the I.N.K. That petition was later amended to include additional petitioners therein, namely, Elena Ostrea and Feliza C. Cristobal-Generoso. It must be stressed, too, that herein petitioners Conrado Pineda, the spouses Dominador and Sofia de Guzman and Graybar were not parties to that case.

The petitioners in said Civil Case No. Q-45767 alleged that they and/or their predecessors-in-interest were issued their corresponding titles to the lots purchased from Amado Clemente[10] in the 1950s yet. They further alleged that they took physical possession of their lots by occupying the same, declaring them in their names for tax purposes, fencing or marking them off and entrusting their care to "katiwalas." From the time they acquired their respective Torrens Titles, they, and they alone, to the exclusion of I.N.K., exercised all acts of undisturbed, peaceful and uninterrupted ownership and possession including the payment of realty taxes.

On or about the second week of August, 1985, I.N.K. started to enclose the entire Lot 671, then known as Clemville Subdivision, with "sawali" fences with billboards randomly posted, reading:

NO TRESPASSING

I.N.C. PROPERTY

SC DECISION

2ND DIVISION

G.R. NO. L-61969

JULY 25, 1984

I.N.K. also destroyed the concrete/hollow block fence surrounding the lot of therein petitioner Jose M. de Castro and started the construction of housing structures thereon. At the same time, I.N.K. commenced the delivery of construction material to the former premises of therein co-petitioner Jose A. Panlilio to erect permanent structure of strong materials on it.

These precipitated the filing, on 22 August 1985, by Augusto M. de Leon, et al. of the petition for injunction in Civil Case No. Q-45767.

On 25 August 1985, the respondent judge issued, in Civil Case No. Q-45767, a restraining order and set the case for hearing on 5 September 1985 to take up the therein petitioners' prayer for the issuance of a writ of preliminary injunction. The September 5 hearing was eventually reset to 19 September 1985 because therein respondent Bishop Eraño Manalo volunteered to maintain the status quo until the matter had been resolved by the trial court.

On the scheduled hearing of 19 September 1985, with the agreement of both parties as expressed in open court, the respondent judge issued an order granting their motion to enter into a stipulation of facts instead of going on with the hearing, and to maintain, in the meantime, the status quo.

In the course of the exchange of pleadings, the respondent judge issued an Order dated 06 December 1985, denying therein petitioners' prayer for the issuance of a writ of preliminary injunction.

Assailing this order, therein petitioners Augusto M. de Leon, et al., via a petition for certiorari, elevated the matter to the CA in CA-G.R. SP No. 08146, which set aside the respondent judge's 06 December 1985 Order as follows:

WHEREFORE, the petition is given due course and is hereby RESOLVED by setting aside the Order dated December 6, 1985 in Civil Case No. Q-45767 and directing that the application for preliminary injunctive relief therein be properly heard and evidence for or against the same be adduced in due course.

On 12 February 1987, private respondent I.N.K. in Civil Case No. Q-45767 filed a motion to dismiss the case on the ground that the complaint [petition] does not state a cause of action. The motion to dismiss was GRANTED by the respondent judge in his Order of 07 August 1987, to wit:

WHEREFORE, premises considered, finding [I.N.K.'s] Motion to Dismiss justified, the instant petition is hereby DISMISSED. With costs against petitioners.

SO ORDERED. (Words in bracket supplied.)

After seeking relief from the CA, which turned out in vain, therein petitioners Augusto M. de Leon, et al. went to this Court in G.R. No. 83280, which, as earlier mentioned, was consolidated with G.R. No. 76265, culminating in what is now known as the Calalang decision.

Upholding I.N.K.'s ownership and title over the property involved in the two consolidated cases, this Court DISMISSED both G.R. Nos. 76265 and 83280 for lack of merit.

It was after entry of judgment in the said two consolidated cases that I.N.K. filed in Civil Case No. Q-45767 the Ex-Parte Motion for Issuance of a 2nd Alias Writ of Execution, which motion led to the respondent judge's issuance of the assailed 22 April 1998 Order directing the issuance of the controversial 2nd Alias Writ of Execution not against therein petitioners Augusto de Leon, et al. but against the herein petitioners Conrado Pineda, the spouses Dominador de Guzman and Sofia de Guzman and Graybar, who were not parties to the injunction suit (Civil Case No. Q-45767).

From the foregoing factual antecedents, it is undoubtedly clear that the respondent judge had no jurisdiction to issue in the injunction suit (Civil Case No. Q-45767) an alias writ of execution ordering the ejectment of the herein petitioners from their respective premises. There are two (2) cogent reasons therefor: (1) the respondent judge has no jurisdiction over the subject matter and the issue of who has a better right of possession in Civil Case No. Q-45767; and (2) the respondent judge has no jurisdiction over the persons of the herein petitioners Conrado Pineda, the spouses de Guzman and Graybar who, in the first place, are not parties to said case.

The Court understands the dilemma that the respondent judge is faced with in the light of the ruling of this Court in Calalang. However, the problem encountered by the respondent judge in resolving I.N.K.'s motion for issuance of an alias writ of execution in Civil Case No. Q-45767 would have been easily solved had he relied upon the

basic principles on causes of action.

Rule 2 of the Rules of Court provides:

Section 1. Ordinary civil actions, basis of. — Every civil action must be based on a cause of action.

Section 2. Cause of action, defined. — A cause of action is the act or omission by which a party violates a right of another.

Section 3. One suit for a single cause of action. — A party may not institute more than one suit for a single cause of action.

In *Goodyear, Phils., Inc. v. Sy*,^[11] the Court enumerated the elements that constitute a cause of action, to wit:

- 1) the legal right of the plaintiff;
- 2) the correlative obligation of the defendant to respect that legal right; and
- 3) an act or omission of the defendant that violates such right.

Hypothetically admitting the allegations in the petition for injunction in Civil Case No. Q-45767, the cause of action in that suit is the supposed right of each of the petitioners therein, i.e., Augusto M. de Leon, et al., not to be disturbed in the exercise and enjoyment of their supposed ownership rights without due process of law, the correlative obligation of I.N.K. to respect that legal right, and the act of I.N.K. in constructing a fence around the disputed property and destroying the therein petitioners' fence. With the institution of that injunction suit (Civil Case No. Q-45767), Branch 101 of the RTC of Quezon City, presided by the respondent judge, acquired jurisdiction only over that cause of action, to the exclusion of other causes of action which private respondent I.N.K. may have, such as its right of ownership over the property involved in the suit arising from the final ruling of this Court in Calalang. When Branch 101 acquired jurisdiction over that specific cause of action in Civil Case No. Q-45767, said court cannot go beyond that jurisdiction and impose its coercive power to enforce other rights of I.N.K. no matter how clear and settled those rights may be.

While apparently the strict application of these basic procedural rules tends to frustrate rather than promote the ends of justice in this case, it is nevertheless timely and relevant to stress the importance of such rules in the orderly dispensation of justice:

The Court is not impervious to the frustration that litigants and lawyers alike would at times encounter in procedural bureaucracy but imperative justice requires correct observance of indispensable technicalities precisely designed to ensure its proper dispensation. It has long been recognized that strict compliance with the Rules of Court is indispensable for the prevention of needless delays and for the orderly and expeditious dispatch of judicial business.

Procedural rules are not to be disdained as mere technicalities that may be ignored at will to suit the convenience of a party. Adjective law is important in ensuring the effective enforcement of substantive rights through the orderly and speedy administration of justice. These rules are not intended to hamper litigants or complicate litigation but, indeed to provide for a system under which a suitor may be heard in the correct form and manner and at the prescribed time in a peaceful confrontation before a judge whose authority they acknowledge.

It cannot be overemphasized that procedural rules have their own wholesome rationale in the orderly administration of justice. Justice has to be administered according to the Rules in order to obviate arbitrariness, caprice, or whimsicality.^[12] (Emphasis supplied.)

Being a suit for injunction, Civil Case No. Q-45767 partakes of an action in personam. In *Domagas v. Jensen*,^[13]

we have explained the nature of an action in personam and enumerated some actions and proceedings which are in personam, viz:

The settled rule is that the aim and object of an action determine its character. Whether a proceeding is in rem, or in personam, or quasi in rem for that matter, is determined by its nature and purpose, and by these only. A proceeding in personam is a proceeding to enforce personal rights and obligations brought against the person and is based on the jurisdiction of the person, although it may involve his right to, or the exercise of ownership of, specific property, or seek to compel him to control or dispose of it in accordance with the mandate of the court. The purpose of a proceeding in personam is to impose, through the judgment of a court, some responsibility or liability directly upon the person of the defendant. Of this character are suits to compel a defendant to specifically perform some act or actions to fasten a pecuniary liability on him. An action in personam is said to be one which has for its object a judgment against the person, as distinguished from a judgment against the propriety to determine its state. It has been held that an action in personam is a proceeding to enforce personal rights or obligations; such action is brought against the person. As far as suits for injunctive relief are concerned, it is well-settled that it is an injunctive act in personam. In *Combs v. Combs*, the appellate court held that proceedings to enforce personal rights and obligations and in which personal judgments are rendered adjusting the rights and obligations between the affected parties is in personam. Actions for recovery of real property are in personam. (Emphasis supplied.)

The respondent judge's jurisdiction is, therefore, limited to the parties in the injunction suit. To stress, the petition for injunction, docketed as Civil Case No. Q-45767, was filed only by therein petitioners Augusto M. de Leon, Jose de Castro, Jose A. Panlilio, Felicidad Vergara Vda. De Pineda, Fernando L. Vitug I, Fernando M. Vitug II, Fernando M. Vitug III, and Faustino Tobia, and later amended to include Elena Ostrea and Feliza C. Cristobal-Generoso as additional petitioners therein, against Bishop Eraño Manalo, in his capacity as titular and spiritual head of I.N.K. Herein petitioners Conrado Pineda, et al. never became parties thereto. Any and all orders and writs of execution, which the respondent judge may issue in that case can, therefore, be enforced only against those parties and not against the herein petitioners Conrado Pineda, et al. In issuing the assailed Order dated 22 April 1998, which directed the issuance of the 2nd Alias Writ of Execution to eject non-parties (herein petitioners), the respondent judge clearly went out of bounds and committed grave abuse of discretion.

The nature of the injunction suit 6 Civil Case No. Q-45767 6 as an action in personam in the RTC remains to be the same whether it is elevated to the CA or to this Court for review. An action in personam does not become an action in rem just because a pronouncement confirming I.N.K.'s title to Lot 671 was made by this Court in the Calalang decision. Final rulings may be made by this Court, as the Highest Court of the Land, in actions in personam but such rulings are binding only as against the parties therein and not against the whole world. Here lies another grave abuse of discretion on the part of the respondent judge when he relied on the Calalang decision in his assailed Order dated 07 May 1998 as if it were binding against the whole world, saying:

After evaluating the arguments of both parties, decisive on the incident is the decision of the Supreme Court^[14] in favor of the respondent I.N.K., represented by its titular and spiritual head Bishop Eraño G. Manalo, sustaining its ownership over the subject Lot 671. This Court could do no less but to follow and give substantial meaning to its ownership which shall include all dominical rights by way of a Writ of Execution. To delay the issuance of such writ is a denial of justice due the I.N.K.

As a final word, this decision shall not be misinterpreted as disturbing or modifying our ruling in Calalang. The final ruling on I.N.K.'s ownership and title is not at all affected. Private respondent I.N.K., as the true and lawful owner of Lot 671 as ruled by the Court in Calalang, simply has to file the proper action against the herein petitioners to enforce its property rights within the bounds of the law and our rules. I.N.K.'s recourse of asking for the issuance of an alias writ of execution against the petitioners in Civil Case No. Q-45767 and the respondent judge's orders in said case, granting I.N.K.'s prayer and enforcing the alias writ of execution against the present

petitioners, constitutes blatant disregard of very fundamental rules and must therefore be stricken down.

At bottom, given the nature of Civil Case No. Q-45767 as a suit for injunction, its dismissal by the respondent judge via his Order of 07 August 1987 and eventually by this Court through the Calalang decision, simply left nothing to be enjoined and certainly nothing to execute.

WHEREFORE, the instant petition is GRANTED. Accordingly, the CA decision dated 08 June 2000 is REVERSED and SET ASIDE, along with the Orders dated 22 April 1998 and 07 May 1998 of the respondent judge, which orders are hereby ANNULLED and the corresponding Alias Writ of Execution issued pursuant thereto is QUASHED. Branch 101 of the RTC of Quezon City is directed to immediately restore the herein parties to their status quo ante unless they have freely and amicably settled their differences. Petitioner Graybar's motion to withdraw petition is GRANTED and the petition is deemed withdrawn only insofar as said petitioner is concerned.

No pronouncement as to costs.

SO ORDERED.

Puno, C.J., (Chairperson), Sandoval-Gutierrez, Corona, and Azcuna, JJ., concur.

[1] On July 13, 2001, petitioner Graybar Marketing and Electrical Services Corporation filed a motion for leave to withdraw as petitioner in this case without prejudice to the petition of the other petitioners; Rollo, pp. 643-644.

[2] Penned by former Associate Justice Elvi John S. Asuncion, with then Associate Justice Ma. Alicia Austria-Martinez (now a member of this Court) and Associate Justice Portia Alino-Hormachuelos, concurring; Id. at 58-64.

[3] Herein petitioners are not party-litigants in Civil Case No. Q-45767, where the assailed orders and alias writ of execution were issued.

[4] The individual lots of each petitioner once formed part of Lot 671 consisting of 184,268 square meters, more or less, originally titled under OCT No. 614 in the name of the Government of the Philippine Islands, then transferred to Eugenia de la Paz, soltera, and Dorotea de la Cruz, viuda, who in turn sold the said entire Lot 671 to Lucia de la Cruz, in whose favor, a new TCT was issued on July 17, 1943. After having subdivided Lot 671 to smaller lots, Lucia de la Cruz sold a portion thereof consisting of 103,108 square meters, more or less, to herein respondent I.N.K.

However, former owner Dorotea de la Cruz succeeded in having her former TCT No. 40355 reconstituted before the Court of First Instance of Rizal, by virtue of which a new title, TCT No. 5284, was issued for the same Lot 671 in her name. Dorotea de la Cruz then sold the same Lot 671 under reconstituted title TCT No. 5284 to Amado Clemente, who in turn subdivided Lot 671 and sold the individual subdivided portions to Augusto M. de Leon, et al., petitioners in Civil Case No. Q-45767, and the herein petitioners who were not parties to that case.

It may be noted that this Court, on the issue of ownership of Lot 671 in favor of Lucia de la Cruz, I.N.K.'s predecessor-in-interest, had already ruled with finality in the case of De la Cruz v. De la Cruz, 130 SCRA 666. Relying on its earlier ruling in de la Cruz, the Court has also settled the controversy over the same parcel of land between I.N.K. and the successors-in-interest of Amado Clemente in Calalang v. Register of Deeds, G.R. Nos. 76265 & 83280, 208 SCRA 215 (per Justice Hugo Gutierrez) and affirmed in a Resolution dated March 11, 1994 (per Justice Jose A.R. Melo) that denied the motion for reconsideration, 231 SCRA 88.

[5] As successors-in-interest of Amado Clemente.

[6] RTC Records, pp. 119-200.

[7] Id. at 204-206.

[8] Penned by respondent Judge Pedro T. Santiago; Rollo, p. 97.

[9] Id. at 119-120.

[10] Owner of Clemville Subdivision.

[11] G.R. No. 154554, November 9, 2005, 474 SCRA 427.

[12] Republic of the Philippines v. Hon. Hernandez, G.R. No. 117209, February 9, 1996, 253 SCRA 509.

[13] G.R. No. 158407, January 17, 2005, 448 SCRA 663.

[14] Referring to Calalang, *supra*.

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