MILAGROS G. LUMBUAN, PETITIONER, VS. ALFREDO A. RONQUILLO, RESPONDENT.

G.R. NO. 155713. May 05, 2006

Ponente: QUISUMBING, J.

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QUISUMBING, J.:

This petition for review on certiorari seeks to reverse and set aside the Decision[1] dated April 12, 2002, of the Court of Appeals in CA-G.R. SP No. 52436 and its Resolution[2] dated October 14, 2002, denying the petitioner's motion for reconsideration.

The salient facts, as found by the Court of Appeals,[3] are as follows:

Petitioner Milagros G. Lumbuan is the registered owner of Lot 19-A, Block 2844 with Transfer Certificate of Title No. 193264, located in Gagalangin, Tondo, Manila. On February 20, 1995, she leased it to respondent Alfredo A. Ronquillo for a period of three years with a monthly rental of P5,000. The parties also agreed that there will be a 10% annual increase in rent for the succeeding two years, i.e., 1996 and 1997,[4] and the leased premises will be used exclusively for the respondent's fastfood business, unless any other use is given, with the petitioner's prior written consent.[5]

While the respondent at the start operated a fastfood business, he later used the premises as residence without the petitioner's prior written consent. He also failed to pay the 10% annual increase in rent of P500/month starting 1996 and P1,000/month in 1997 to the present. Despite repeated verbal and written demands, the respondent refused to pay the arrears and vacate the leased premises.

On November 15, 1997, the petitioner referred the matter to the Barangay Chairman's office but the parties failed to arrive at a settlement. The Barangay Chairman then issued a Certificate to File Action.[6]

On December 8, 1997, the petitioner filed against the respondent an action for Unlawful Detainer, docketed as Civil Case No. 157922-CV. It was raffled to the Metropolitan Trial Court (MeTC) of Manila, Branch 6. On December 15, 1997, the respondent received the summons and copy of the complaint. On December 24, 1997, he filed his Answer by mail. Before the MeTC could receive the respondent's Answer, the petitioner filed a Motion for Summary Judgment dated January 7, 1998.[7] Acting upon this motion, the MeTC rendered a decision[8] on January 15, 1998, ordering the respondent to vacate and surrender possession of the leased premises; to pay the petitioner the amount of P46,000 as unpaid rentals with legal interest until fully paid; and to pay the petitioner P5,000 as attorney's fees plus cost of the suit.

The respondent then filed a Manifestation calling the attention of the MeTC to the fact that his Answer was filed on time and praying that the decision be set aside. The MeTC denied the prayer, ruling that the Manifestation was in the nature of a motion for reconsideration which is a prohibited pleading under the Rules on Summary Procedure.

Upon appeal, the case was raffled to the Regional Trial Court (RTC) of Manila, Branch 38, and docketed as Civil

Case No. 98-87311. On July 8, 1998, the RTC rendered its decision[9] setting aside the MeTC decision. The RTC directed the parties to go back to the Lupon Chairman or Punong Barangay for further proceedings and to comply strictly with the condition that should the parties fail to reach an amicable settlement, the entire records of the case will be remanded to MeTC of Manila, Branch 6, for it to decide the case anew.

The respondent sought reconsideration but the RTC denied the motion in an Order dated March 15, 1999. Thus, he sought relief from the Court of Appeals through a petition for review.[10] On April 12, 2002, the appellate court promulgated a decision, reversing the decision of the RTC and ordering the dismissal of the ejectment case. The appellate court ruled that when a complaint is prematurely instituted, as when the mandatory mediation and conciliation in the barangay level had not been complied with, the court should dismiss the case and not just remand the records to the court of origin so that the parties may go through the prerequisite proceedings.

The petitioner filed a motion for reconsideration, which was denied by the appellate court. Hence, this present petition.

In the meantime, while this petition was pending before this Court, the parties went through barangay conciliation proceedings as directed by the RTC of Manila, Branch 38. Again, they failed to arrive at an amicable settlement prompting the RTC to issue an Order[11] remanding the case to the MeTC of Manila, Branch 6, where the proceedings took place anew. On April 25, 2000, the MeTC rendered a second decision, the dispositive portion of which reads:

> WHEREFORE, premises considered, judgment on the merits is hereby rendered for the plaintiff as follows:
>
> - Ordering defendant and all persons claiming right of possession under him to voluntarily vacate the property located at Lot 19-A Block 2844, Gagalangin, Tondo, Manila and surrender possession thereof to the plaintiff;
>
> - Ordering defendant to pay to plaintiff the amount of P387,512.00 as actual damages in the form of unpaid rentals and its agreed increase up to January 2000 and to pay the amount of P6,500.00 a month thereafter until the same is actually vacated;
>
> - Ordering the defendant to pay to plaintiff the sum of P10,000.00 as and for attorney's fees plus cost of the suit.
>
> SO ORDERED.[12]

The respondent appealed the foregoing decision. The case was raffled to RTC of Manila, Branch 22, and docketed as Civil Case No. 00-98173. The RTC ruled in favor of the petitioner and dismissed the appeal. The respondent elevated the case to the Court of Appeals, where it is now pending.

The sole issue for our resolution is:

> [WHETHER] THE COURT OF APPEALS GRAVELY ERRED IN DISMISSING THE COMPLAINT FOR THE ALLEGED FAILURE OF THE PARTIES TO COMPLY WITH THE MANDATORY MEDIATION AND CONCILIATION PROCEEDINGS IN THE BARANGAY LEVEL.[13]

With the parties' subsequent meeting with the Lupon Chairman or Punong Barangay for further conciliation proceedings, the procedural defect was cured. Nevertheless, if only to clear any lingering doubt why the Court of Appeals erred in dismissing the complaint, we shall delve on the issue.

The petitioner alleges that the parties have gone through barangay conciliation proceedings to settle their dispute as shown by the Certificate to File Action issued by the Lupon/Pangkat Secretary and attested by the Lupon/Pangkat Chairman. The respondent, on the other hand, contends that whether there was defective compliance or no compliance at all with the required conciliation, the case should have been dismissed.

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The primordial objective of the Katarungang Pambarangay Rules,[14] is to reduce the number of court litigations and prevent the deterioration of the quality of justice which has been brought about by the indiscriminate filing of cases in the courts. To attain this objective, Section 412(a) of Republic Act No. 7160[15] requires the parties to undergo a conciliation process before the Lupon Chairman or the Pangkat as a precondition to filing a complaint in court,[16] thus:

> SECTION 412. Conciliation. - (a) Pre-condition to Filing of Complaint in Court. - No complaint, petition, action, or proceeding involving any matter within the authority of the lupon shall be filed or instituted directly in court or any other government office for adjudication, unless there has been a confrontation between the parties before the lupon chairman or the pangkat, and that no conciliation or settlement has been reached as certified by the lupon secretary or pangkat secretary as attested to by the lupon or pangkat chairman....

Here, the Lupon/Pangkat Chairman and Lupon/Pangkat Secretary signed the Certificate to File Action stating that no settlement was reached by the parties. While admittedly no pangkat was constituted, it was not denied that the parties met at the office of the Barangay Chairman for possible settlement. The efforts of the Barangay Chairman, however, proved futile as no agreement was reached. Although no pangkat was formed, in our mind, there was substantial compliance with the law. It is noteworthy that under the aforequoted provision, the confrontation before the Lupon Chairman or the pangkat is sufficient compliance with the precondition for filing the case in court.[17] This is true notwithstanding the mandate of Section 410(b) of the same law that the Barangay Chairman shall constitute a pangkat if he fails in his mediation efforts. Section 410(b) should be construed together with Section 412, as well as the circumstances obtaining in and peculiar to the case. On this score, it is significant that the Barangay Chairman or Punong Barangay is herself the Chairman of the Lupon under the Local Government Code.[18]

Finally, this Court is aware that the resolution of the substantial issues in this case is pending with the Court of Appeals. While ordinarily, we would have determined the validity of the parties' substantial claims since to await the appellate court's decision will only frustrate speedy justice and, in any event, would be a futile exercise, as in all probability the case would end up with this Court, we find that we cannot do so in the instant case.

It must be underscored that supervening events have taken place before the lower courts where the parties have been adequately heard, and all the issues have been ventilated. Since the records of those proceedings are with the Court of Appeals, it is in a better position to fully adjudicate the rights of the parties. To rely on the records before this Court would prevent us from rendering a sound judgment in this case. Thus, we are left with no alternative but to leave the matter of ruling on the merits to the appellate court.

WHEREFORE, the petition is GRANTED. The decision and resolution of the Court of Appeals in CA-G.R. SP No. 52436 are REVERSED and SET ASIDE, and the decision of the Regional Trial Court of Manila, Branch 38, in Civil Case No. 98-87311 is AFFIRMED.

The Court of Appeals is ordered to proceed with the appeal in CA - G.R. No. 73453 and decide the case with dispatch.

SO ORDERED.

Carpio, Carpio Morales, Tinga, and Velasco, Jr., JJ., concur.

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[*] Also referred to as "Lambuan" in some parts of the records.

[1] Rollo, pp. 54-58. Penned by Associate Justice Hilarion L. Aquino, with Associate Justices Edgardo P. Cruz,

and Amelita G. Tolentino concurring.

[2] Id. at 60.

[3]With editorial changes.

[4] Rollo, pp. 35-36.

[5] Id. at 36.

[6] Id. at 38.

[7]Id. at 87.

[8] CA rollo, pp. 30-32.

[9] Id. at 22-28.

[10]Id. at 8-21.

[11] Id. at 50.

[12] Id. at 78.

[13] Rollo, p. 118.

[14] Codified in Sections 399 to 422, Chapter 7, Title One, Book III and Section 515, Title One, Book IV of Republic Act No. 7160, shall be known as the Pambarangay Law and these implementing rules and regulations shall be known as the Katarungang Pambarangay Rules.

[15]Otherwise known as the Local Government Code of 1991.

[16] Zamora v. Heirs of Carmen Izquierdo, G.R. No. 146195, November 18, 2004, 443 SCRA 24, 31.

[17]Diu v. Court of Appeals, G.R. No. 115213, December 19, 1995, 251 SCRA 472, 479-480.

[18] Id.; SECTION 399. Lupong Tagapamayapa. - (a) There is hereby created in each barangay a lupong tagapamayapa, hereinafter referred to as the lupon, composed of the punong barangay as chairman....

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