

WEST COAST LIFE INSURANCE COMPANY, PETITIONER, VS. SEVERO HERNANDO AND JXIAN A. BUTED, RESPONDENTS.

G.R. No. 47185. June 25, 1940

Ponente: LAUREL, J.

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LAUREL, J.:

This is an original petition for certiorari aimed at preventing the respondent justice of the peace court of Laoag, I locos Norte, from assuming jurisdiction over the petitioner, West Coast Life Insurance Company, as one of the two defendants in civil case No. 198 of said court, entitled Juan A. Buted vs. West Coast Life Insurance Company and Santiago Ranada, for the collection of a certain sum of money, it being alleged by the petitioner that, as it has its office and place of business in the City of Manila, the action against it must be begun in the place of its residence in accordance with paragraph (c) of section 14 of Act No. 1627, as amended by Act No. 1862, notwithstanding the fact that the other defendant is a resident of Laoag.

Section 14 of Act No. 1627, in providing that the territorial jurisdiction of a justice of the peace * * * shall be coextensive with his municipality * * * except * * * when the action is against two or more defendants residing in different municipalities, sanctions, at least by implication, the commencement of a single action against two or more defendants residing in different municipalities, provided jurisdiction shall have been acquired over any defendant under the rules contained in paragraphs (a), (b) and (c) of the aforesaid section. Upon the other hand, the contention of the petitioner, if accepted, would lead to multiplicity of suits. The justice of the peace court of Laoag properly disposed of the controversy, and no court endowed with coordinate power to act in a given case may interfere with its action, this rule resting upon comity and the necessity of avoiding conflict in the execution of judgments by independent courts, and being a necessary one because any other rule would unavoidably lead to perpetual collision and be productive of most calamitous results.

The petition is denied, with costs against the petitioner.

So ordered.

Avancena, C.J., Imperial, Diaz, Concepcion, and Moran, JJ., concur.

Petition denied.

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