

**M & M MANAGEMENT AIDS, INC., PETITIONER, VS. THE  
HONORABLE COURT OF APPEALS AND EXEQUIEL B. MIGUEL, FOR  
AND IN HIS BEHALF, AND AS ATTORNEY-IN-FACT OF ANTONINA B.  
MIGUEL, REYNALD...**

*G.R. No. 53924. June 29, 1984*

Ponente: AQUINO, J.

Read online (full-text search, related cases, audio case brief): <https://batas.org/library/g-r-no-53924/>

---

**AQUINO, J.:**

This case is about the lessee's liability to pay the rentals during the pendency of its action for rescission of the lease. On August 8, 1973, M & M Management Aids, Inc. leased from the Heirs of Candido Miguel, Sr. a parcel of land with an area of one hectare, to be used as a factory site, located at Barrio Tipas, Taguig, Rizal (p. 69, Rollo).

The term of the lease was ten years or from August 1, 1973 to July 31, 1983. The lessee was given the option to buy the land. The annual rental for the first three years was P12,000; P42,000 for the next three years and for the last four years P96,000 (pp. 68-73, Rollo).

On May 20, 1975, Management Aids filed an action for rescission of the lease with damages and for a declaration of its rights as a builder in good faith. It alleged that the Miguels failed to surrender the title for the registration of the lease and fixed an exorbitant price for the property.

The trial court issued a pre-trial order, stating that, by agreement of the parties, Management Aids should pay within thirty days from January 14, 1976 the back rentals for seven months and should continue to pay the stipulated rentals (p. 40, Rollo). That order set at rest the question of rentals pendente lite or the reasonable compensation for the use and occupation of the leased premises.

More than two years later, or on May 20, 1978, the trial court issued an order, requiring the president and general manager of Management Aids to pay the Miguel lessors within sixty days from notice the sum of P46,000 as agreed upon at the 1976 pre-trial conference, otherwise he would be punished for contempt of court (p. 17, Rollo).

That order was assailed by certiorari in the Court of Appeals which in its decision of March 24, 1980 sustained the order because of the 1976 pre-trial agreement. Management Aids appealed to this Court. The Miguels did not file any comment and brief.

Management Aids contends that the trial court erred in holding that under the pre-trial order it would be liable to pay rental in excess of P1,000 a month and that it should pay rentals during the pendency of the rescission case. It argues that the Appellate Court took a myopic view of the pre-trial order by interpreting it literally.

We hold that the petition is devoid of merit. It should not have been given due course. No grave abuse of discretion was committed by the trial court in issuing the 1978 contempt order. It was sanctioned by the 1976 pre-trial order which was in the nature of a compromise on the rentals during the pendency of the suit. In that

sense, the pre-trial order has the force of res judicata.

If the parties cannot amicably settle their dispute, the trial court is directed to give priority to the trial of this case and to finish it as soon as possible.

Some lawyers assume that every error of judgment of the trial court can be corrected by certiorari and prohibition. They should remember that only jurisdictional errors can be the object of certiorari. It is an extraordinary remedy available only in extraordinary cases where the trial court acted without jurisdiction or with grave abuse of discretion. That means that its action is whimsical, capricious, arbitrary or patently illegal, or, as stated by Justice Moreland, its decree is a snare and a delusion, a recorded falsehood, a standing menace (*Herrera vs. Barreto and Joaquin*, 25 Phil. 245, 271).

"If every error committed by the trial court were to be a proper object of review by certiorari, the trial would never come to an end and the appellate courts' dockets would be clogged ad infinitum with the aggrieved parties-litigants filing petition after petition for writs of certiorari against every interlocutory order of the trial court." That situation would be intolerable. Appeal in due time would be the proper remedy (*De Castro vs. Delta Motor Sales Corp.*, L-34971, May 31, 1974, 57 SCRA 344; *Nocon vs. Hon. Geronimo*, 101 Phil. 735).

WHEREFORE, the judgment of the Intermediate Appellate Court is affirmed with costs against the petitioner. SO ORDERED.

Makasiar, (Chairman), Concepcion, Jr., Guerrero, Abad Santos, Escolin, and Cuevas, JJ., concur.

**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.