

REPUBLIC OF THE PHILIPPINES  
REGIONAL TRIAL COURT  
NATIONAL CAPITAL JUDICIAL REGION  
BRANCH 83, QUEZON CITY

RELEASED

11/3/05  
3:30 P.M. *mm*  
CLERK OF COURT

MA. RONA V. TIONGCO,  
Plaintiff,

-versus-

CIVIL CASE NO. Q-05-56608

SHIELA CORONEL,  
Defendant.

X-----X

**ORDER**

For resolution is plaintiff's application for Temporary Restraining Order (TRO) pending hearing and resolution of its application for Writ of Preliminary Injunction.

The controversy in the instant case raises serious Constitutional questions involving the rights to privacy, security, property and due process on one side, and the freedoms of speech, of the press, of expression, as well as the public's rights to information on the other side. The case likewise calls into play traditional provisions in the Civil Code covering the use and possible abuse of legal rights and, at one end of the spectrum, are legal questions, surrounding the "cyberspace" and "internet". Courts of justice have the difficult task of judiciously weighing the facts borne by the evidence in relation to the applicable laws, and then to issue the necessary orders. This Court is aware that whatever be its ruling, one party may elevate matters to a higher tribunal considering the transcendental importance of the issues.

After carefully studying the reasons and arguments presented by the parties in their respective pleadings and their oral arguments as well as the testimony of the plaintiff, this Court hereby resolves to grant the TRO being applied for, pending the hearing and resolution of plaintiff's application for Writ of Preliminary Injunction pendente lite.

Considering that the alleged libelous article currently posted in the Internet as [www.pdj.org/blog/?p=314](http://www.pdj.org/blog/?p=314) is easily accessible to the public and with the allegations in the complaint that its continuous broadcast would cause great and irreparable damage to the plaintiff and her family as it threatens her own reputation and that of her children, without delving as to the honesty and truthfulness of such allegations and with the ultimate objective of protecting the interests of both parties, this Court is constrained to issue the TRO being sought. This Court finds the same to be a safer and more prudent recourse in order to safeguard and balance conflicting rights and interests of the parties/litigants.

Lest the parties entertain the idea, let it be known that nothing herein should be construed as an indication of this Court's sentiment or inclination insofar as plaintiff's application for a Writ of Preliminary Injunction is concerned for the same is still to be heard and threshed out.

WHEREFORE, a TEMPORARY RESTRAINING ORDER (TRO) is hereby issued for a period of twenty (20) days from date hereof. Accordingly, during said period, defendant/respondent, her agents or any person acting on her behalf or upon her order are hereby directed to REMOVE/DELETE or BLOCK the article entitled "Mike Defensor's expert" from the defendant's/respondent's web site i.e. [www.pdj.org/blog/?p=314](http://www.pdj.org/blog/?p=314), and further, to refrain from broadcasting, publishing and posting or causing to broadcast, publish or post articles and statements similar and related to, or connected and in conjunction with, the articles published in the internet web site being complained of by the plaintiff.

In the meantime, the hearing on plaintiff's application for Writ of Preliminary Injunction is set on November 9, 2005 and November 11, 2005, all at 8:30 o'clock in the morning.

Send copies of this Order to the parties and their respective counsel.

**ORDER**  
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**\*\*\*\*\***

**SO ORDERED.**

**Quezon City, Metro Manila, November 3, 2005.**

**ORIGINAL SIGNED**  
**RALPH S. LEE**  
Presiding Judge

**Copy Furnished:**

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