

Examining the Writ of Preliminary Injunction

Judge Oscar B. Pimentel

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SUBJECT(S): REMEDIAL LAW

KEYWORD(S): PRELIMINARY INJUNCTION

The Author, as a member of the judiciary, revisits and re-examines the issuance of the writ of preliminary injunction as both a remedy in law and in equity. He discusses the nature and purpose of the writ and the grant of preliminary injunction. The differences between the latter and a status quo order are also taken up.

As regards procedure, the Author goes through the requirements for the issuance of preliminary injunction. He also examines the issuance, effects, and periods of a temporary restraining order, including the relevance of Sections 6-9 of Rule 58 of the Rules of Court. Finally, he lists the prohibitions on issuing the writ.

This Article highlights the importance of rules and complying with the requisites under said Rule for the issuance of the writ as a remedy.