

Republic of the Philippines
Fourth Judicial Region
MUNICIPAL TRIAL COURT IN CITIES
BRANCH 4, Imus City, Cavite
(Mobile: 0929-705-0443)
(E-mail: mtcc1imu004@judiciary.gov.ph)

HOME DEVELOPMENT MUTUAL FUND
(PAG-IBIG FUND), represented by
Fidel P. Tan and ANGELA J. FARILLON,
represented by her Attorney-in-fact,
Gemma Parillon Hidalgo,
Plaintiffs,

Civil Case No. 26-3099
For: Accion Publiciana
-versus-

CHRISTOPHER T. DELA PEÑA and all
persons claiming for and in his behalf;
Defendant,
X ----- X

SUMMONS BY PUBLICATION

TO: CHRISTOPHER T. DELA PEÑA
Block 22 Lot 40, Phase 2, Green Estate Homes,
Malagasang 1-F, Imus City, Cavite

GREETINGS:

In accordance with the court's Resolution dated June 16, 2026, you, **CHRISTOPHER T. DELA PEÑA**, with given address at **Block 22 Lot 40, Phase 2, Green Estate Homes, Malagasang 1-F, Imus City, Cavite** are hereby summoned pursuant to Section 16, Rule 14 of the Rules of Court. You are DIRECTED to file with the Municipal Trial Court in Cities, Branch 4, Imus City, Cavite, your Answer

to the above-entitled civil case within sixty (60) calendar days from the last date of publication, serving at the same time a copy of your responsive pleadings and/or Answer upon Plaintiffs' counsels, through email:

Legal and External Affairs Sector, Home Development Mutual Fund: lccgdocket.litigation@pagibigfund.gov.ph / mumalabadpenolbo@pagibigfund.gov.ph

Atty. Marvyn L. Maristela (counsel for plaintiff Angela J. Farillon): maristela1011@yahoo.com / maristelalawoffice.legal@gmail.com

You are reminded of IBP-OCA Memorandum on Policy Guidelines dated March 12, 2002 to observe restraint in filing a motion to dismiss and instead allege the grounds thereof as defenses in the Answer. Should you fail to file your answer within the period fixed, the court, motu proprio or on motion of the plaintiff, shall render judgment as may be warranted by the facts alleged in the complaint and its attachments.

PLEASE BE GUIDE BY THE FOLLOWING:

STATEMENT OF FACTS

On March 11, 2014, defendant Christopher T. Dela Peña entered into a contract to Sell with Homemark, Inc. covering a parcel of land with improvements thereon located at Blk 22 Lot 40 Phase 2, Green Estate Brgy. Malagasang 1-F Imus, Cavite. To finance the purchase, he obtained a loan from Pag-IBIG Fund in the amount of PHP704,810.50, the proceeds of which were directly released to Homemark, Inc. Following the loan release, Homemark, Inc. with conformity of the defendant, assigned its interests and the Contract to Sell over the subject property in favor of Pag-IBIG Fund. However, defendant subsequently defaulted on his monthly amortization, prompting Pag-IBIG Fund to cancel the Contract to Sell. Consequently, the property was classified as an Acquired Asset and later conditionally sold to plaintiff Angela J. Farillon, with the latter being granted authority to possess and exercise possessory rights over the subject property.

Alleging that defendant continued to occupy the property despite the cancellation of the Contract to Sell and several demands to vacate, plaintiffs pray:

WHEREFORE premises considered, it is most respectfully prayed to this Honorable Court that after due notice and hearing, judgment be rendered, as follows:

1. DECLARING the plaintiffs HDMF and Angela J. Farillon as the lawful possessors of the subject property;
2. ORDERING the Defendants and all persons claiming rights under them to PEACEFULLY VACATE the subject property and DELIVER the immediate and full possession of the subject property, together with all improvements thereon, to the Plaintiffs;
3. Ordering defendant to PAY the Plaintiffs reasonable compensation for the continued unlawful possession / occupation and use of the subject property in the sum of at least Two Thousand Five Hundred (P2,500.00) Pesos per month reckoned from Notice to Vacate date of November 27, 2024 until the date of the defendants and all persons claiming rights under him actually vacate the premises.
4. Ordering the Defendant to pay THIRTY THOUSAND (P30,000.00) PESOS and for Attorney's fees plus cost of this suit.

Other reliefs, just and equitable, are likewise prayed for under the premises.

WITNESS THE HON. RYAN DE LEON FERRAREN,
Presiding Judge of this Court, this 16th day of June 2026 at Imus City, Cavite.

(Sgd)
ATTY. CHAR MAE C. CASIL
Officer-in-Charge