

Title: Dr. Nixon L. Treyes v. Antonio L. Larlar, Rev. Fr. Emilio L. Larlar, Heddy L. Larlar, et al.

Facts: On May 1, 2008, Rosie Larlar Treyes, wife of petitioner Dr. Nixon L. Treyes, passed away without leaving any children or a will. At the time of her death, she left 14 real estate properties as conjugal assets. Petitioner executed two Affidavits of Self-Adjudication, claiming to be the sole heir and transferring the estate to himself. These acts were contested by Rosie's siblings (private respondents), who argued they were legal heirs entitled to half of the inheritance in accordance with Article 1001 of the Civil Code.

Private respondents discovered that transfer certificates of title (TCTs) for the properties registered under Rosie and petitioner's names were already canceled and new TCTs were issued solely to the petitioner. Respondents sought a conference for the settlement of Rosie's estate, which the petitioner ignored. Consequently, they filed a Complaint seeking the annulment of the Affidavits of Self-Adjudication, cancellation of the new TCTs, reconveyance, partition, and damages.

Petitioner filed an Entry of Special Appearance and Motion to Dismiss due to lack of jurisdiction over his person. After proper service of summons, petitioner filed another Motion to Dismiss arguing improper venue, prescription, and lack of jurisdiction over the subject matter. The RTC dismissed the motion but acknowledged it had no jurisdiction over the cause of action for partition.

Petitioner filed an Omnibus Motion for reconsideration and to defer filing of answer, which was denied by the RTC. Petitioner elevated the matter to the CA, which affirmed the RTC's resolution.

Issues:

1. Whether a prior determination of one's status as a legal heir in a separate special proceeding is required before one can seek enforcement of ownership rights in an ordinary civil action based on the law of succession.
2. Whether the RTC had jurisdiction over the subject matter of the private respondents' Complaint.

Court's Decision: The petition was denied. The Court settled that there is no requirement for a separate declaration of heirship in a special proceeding before compulsory or intestate heirs can bring an ordinary civil action to protect their ownership rights acquired by succession. Private respondents, as presumed legal heirs by virtue of Rosie's death, had

immediate rights to protect their inheritance. The CA ruled correctly that the RTC did not commit grave abuse of discretion. Thus, private respondents may bring an ordinary civil action to annul the Affidavits of Self-Adjudication and TCTs obtained by the petitioner without securing letters of administration. The RTC was correct in assuming jurisdiction over the annulment causes of action but not over the partition.

Doctrine:

- Rights to the succession are transmitted from the moment of the decedent's death (Article 777 of the Civil Code).
- The heirs do not require separate judicial declarations of heirship before pursuing ordinary civil action to protect their interests in the estate based on succession.

Class Notes:

1. Special Proceedings vs. Civil Actions - Succession issues like heirship declaration require special proceedings, but civil courts can decide on the enforcement of property rights when heirship is not contested.
2. Article 1001 of the Civil Code: Where brothers and sisters survive with the widow or widower, they are entitled to half of the inheritance.
3. Article 777 of the Civil Code: Rights to the succession are transmitted from the moment of the decedent's death.
4. Rules of Court: Venue for civil actions involving immovable property shall be in the proper court that has territorial jurisdiction.

Historical Background: The importance of this case lies in its clarification of the rights of heirs concerning the enforcement of property rights through ordinary civil actions without necessitating a separate special proceeding for the declaration of heirship.