

Title: Milagros Tumalak Bishop, et al. vs. Honorable Court of Appeals and Spouses Manuel and Jesusa Salang

Facts:

Spouses Manuel and Jesusa Salang hold registered title under Transfer Certificate of Title No. T-29018 to a parcel of land in Calapacuan, Subic, Zambales. Petitioners, Milagros Tumalak Bishop and others, occupied parts of the said land. On January 22, 1985, the Salangs initiated an action for recovery of possession against the petitioners based on their rights as registered landowners.

The petitioners countered, claiming that the portions they occupied were part of public domain and thus non-registrable under the Torrens system. They also presented tax declarations in their names and alluded to long possession; some asserted acquisition through sale, and one claimed by inheritance.

The trial court, presided by Judge Nicias O. Mendoza, favored the plaintiffs, concluding that registered owners have the lawful right to recover and possess their land. It dismissed the defendants' (petitioners') argument regarding the Bureau of Forestry certification and tax declarations as lacking basis in law, given that the land was already titled.

On appeal, the Court of Appeals affirmed the RTC's judgment on August 22, 1988. The subsequent motion for reconsideration was denied. Hence, the petitioners brought their appeal to the Supreme Court, raising issues regarding the validity of the registration under the Torrens system, their title acquisition by laches, and, alternatively, their rights as builders in good faith.

Issues:

1. Can land categorized as part of the public domain be validly registered under the Torrens system?
2. Can petitioners acquire title to land through laches despite its existence under a Torrens title?
3. Can petitioners be considered builders in good faith and consequently entitled to the rights provided by Articles 448, 546, 547, and 548 of the Civil Code?

Court's Decision:

The Supreme Court denied the petition. It reasserted that an Original Certificate of Title issued in 1910 (82 years prior) was incontrovertible and accepted the presumption of regularity in its issuance. The Court held that an administrative certification from the

Bureau of Forestry could not outweigh a court decision on land registrability. The petitioners' claim of fraud could not be entertained as it was filed beyond the one-year prescriptive period for such a claim.

The Court underscored that the registered owners' (respondents') right to recover possession of their land is imprescriptible. Regardless of petitioners' length of possession or the private respondents' tolerance, the owners could assert their right at any time. Consequently, the Court deemed the petitioners as having no rights as builders in good faith since they were aware that they had no title to the land at the outset.

Doctrine:

1. Land covered by a Torrens title is incontrovertible and not susceptible to acquisitive prescription.
2. An action to invalidate a Torrens title on grounds of fraud prescribes one year from the entry of the decree of registration.
3. The right of a registered owner to recover possession of land is imprescriptible and is not barred by laches.

Class Notes:

- A registered owner under the Torrens system is entitled to recover possession of their land at any time and such right is imprescriptible.
- Ownership cannot be lost through prescription for land registered under the Torrens system.
- A claim of fraud to annul a Torrens title must be made within a year from the registration decree.

The key legal provisions applied include:

- Article 428 of the New Civil Code, which establishes the rights of ownership.
- Article 496 of the Civil Code and related jurisprudence, reinforcing the indefeasibility of a Torrens title.
- Sections 38 and 47 of PD 1529 (Property Registration Decree), governing the jurisdiction of registration courts and the prescriptive period for annulling a fraudulent title.

Historical Background:

The Torrens system of land registration was adopted in the Philippines to ensure security of land titles and to eliminate land fraud by maintaining a land registry with titles guaranteed by the state. This case reiterates the principles of indefeasibility and imprescriptibility of

titles under the system, which has long been a cornerstone of Philippine property law. Disputes over land occupation and claims of ownership against registered titles have been common in the Philippines' judicial history, leading to a rich jurisprudence affirming the sanctity of Torrens titles.