

Title: Josephine Wee vs. Felicidad Mardo

Facts:

The case involves a parcel of land located in Puting Kahoy, Silang, Cavite, known as Lot No. 8348-B. Felicidad Gonzales, married to Leopoldo Mardo, was the registered owner of the broader Lot No. 8348 through a Free Patent granted on April 26, 1979. On February 1, 1993, Gonzales purportedly sold a portion of this lot, Lot No. 8348-B, to Josephine Wee for Php 250,000.00, a claim contested by Gonzales, alleging that the sale was falsified.

Wee then filed an Application for Original Registration of Lot No. 8349, later corrected to Lot No. 8348-B, aiming to register the land in her name based on the alleged deed of sale. Gonzales opposed this application, asserting ownership and contesting the deed of sale as falsified. Throughout the Regional Trial Court (RTC) proceedings, Wee's application was contested by Gonzales, including through motions to dismiss based on discrepancies in the land description and claims of fraud.

Despite the opposition, the RTC rendered a decision on September 4, 2009, favoring Wee's application for registration. This decision was appealed to the Court of Appeals (CA), which reversed the RTC's ruling on June 26, 2012, finding that Wee failed to meet the requirements for land registration under the law, particularly concerning possession and occupation of the land. This decision prompted Wee to file a petition for review with the Supreme Court.

Issues:

1. Whether Wee is entitled to register the subject land under her name despite not having physical possession.
2. If possession by Gonzales, the predecessor-in-interest, can be deemed possession by Wee for the purpose of registration.
3. Whether circumstances that prevented Wee's actual possession of the land can be considered a fortuitous event that does not affect her right to register the property.
4. The implication of the land already being registered to Gonzales under a certificate of title, and whether the principle of indefeasibility of the title bars Wee's registration attempt.

Court's Decision:

The Supreme Court denied Wee's petition. It held that the application for original registration fell under the purview of PD 1529, requiring applicants to show proof of open, continuous, exclusive, and notorious possession and occupation of alienable and disposable

land since June 12, 1945, or earlier. The Court concluded Wee did not possess the land as required, disqualifying her application for registration. Furthermore, since the land was already under a certificate of title in Gonzales's name, it was beyond the jurisdiction of a land registration court to order its registration in favor of someone else.

Doctrine:

1. The principle of indefeasibility of a Torrens title: A registered title under the Torrens system is indefeasible and incontrovertible against anyone, including the government, after one year from its issuance.
2. A certificate of title is not subject to collateral attack and can only be altered, modified, or canceled in a direct proceeding in accordance with the law.

Class Notes:

- Indefeasibility of a Torrens title (PD 1529, Sec. 103)
- Requirement for registration: Open, continuous, exclusive, and notorious possession and occupation since June 12, 1945, or earlier (PD 1529, Sec. 14(1))
- Collateral attacks on a title are not permitted (PD 1529, Sec. 48)
- Distinction between ownership and the certificate of title; the latter being evidence of ownership but not the means of acquiring it.

Historical Background:

The case between Wee and Mardo underscores the complexities involved in property registration in the Philippines, particularly concerning the principle of indefeasibility of a Torrens title and the issues surrounding possession and ownership. It exemplifies the challenges applicants face when registration involves land already titled under someone else's name, emphasizing the strict adherence to legal statutes governing land registration and the protection of registered landowners under the Torrens system.