

**Title:** Villarico vs. Sarmiento and others: A Dispute Over Right of Way and Possession on a Public Dominion Property

**Facts:**

- **Location and Parties:** The case involves a dispute over a lot in La Huerta, Parañaque City, Metro Manila, owned by Teofilo C. Villarico (petitioner). This lot is adjacent to a strip of government land separating it from Ninoy Aquino Avenue. The respondents include Vivencio Sarmiento and his family, Andok's Litson Corporation, and Marites' Carindaria.
- **Initial Event:** In 1991, the respondents constructed buildings on the government strip, which Villarico claimed obstructed his access (right of way) to the avenue and encroached on his property.
- **Acquisition and Legal Action:** Villarico, in 1993, acquired a portion of the government strip (74.30 square meters) and registered it under his name (T.C.T. No. 74430). In 1995, he filed a complaint for accion publiciana against the respondents for obstructing his right of way and encroaching on his property.
- **Lower Courts' Decisions:** The Regional Trial Court (RTC) and subsequently, the Court of Appeals, sided against Villarico, finding the respondents had a better right of possession over the land, excluding the portion covered by T.C.T. No. 74430. They ruled that the lot on which the stairways were built, being of public dominion, could not be subject to a private individual's right of way or possession.

**Issues:**

1. Whether the Court of Appeals made findings without specific evidence.
2. The primary issue regarding the plaintiff's acquired right of way over government land.
3. Whether accion publiciana was the correct remedy for asserting right of way on a public lot.
4. Clarification on possession rights over the said right of way.
5. Determination of better right of possession over the contested land.

**Court's Decision:**

- The Supreme Court denied Villarico's petition, affirming the decisions of the lower courts with modification. It clarified that neither party holds a right of possession over the disputed strip where the stairways were built, as it is a property of public dominion. The Court emphasized that properties of public dominion are beyond commercial transactions or private ownership and cannot be burdened by individual claims like easements.

**Doctrine:**

- **Public Dominion Property:** The Supreme Court reiterated that properties used for public services or benefiting the public cannot be appropriated by individuals. Such properties are immune to private easement claims, cannot be alienated, leased, acquired by prescription, subjected to attachment and execution, or burdened by voluntary easements.

**Class Notes:**

- **Accion Publiciana:** A legal remedy to recover the right to possess a property, not applicable when the property in question is of public dominion.

- **Public Dominion Property:** Defined under Article 420 of the Civil Code, implicating that usage by the public is via government tolerance, not individual entitlement.

- **Rights of Possession:** Article 530 of the Civil Code states only objects and rights that can be appropriated may be subjects of possession, clarifying the impossibility of claiming possession over public dominion property.

**Historical Background:**

This case underscores the complexities when private individuals' interests clash with public dominion properties. The essence lies in balancing individual rights against the imperatives of properties dedicated to public use. It mirrors the challenges urban development poses to existing land use laws, highlighting the imperative for clear guidelines on the use and appropriation of lands classified for public benefit.