

Title: The Heirs of Mario Malabanan vs. Republic of the Philippines: A Case on the Original Registration Proceedings under the Property Registration Decree

Facts:

On February 20, 1998, Mario Malabanan filed an application for land registration for a parcel of land identified as Lot 9864-A, Cad-452-D, Silang Cadastre in Barangay Tibig, Silang, Cavite, with an area of 71,324 square meters. Malabanan claimed he purchased the property from Eduardo Velazco and had been in open, notorious, continuous, adverse, and peaceful possession for more than thirty years, along with his predecessors-in-interest.

The application was assigned to the Regional Trial Court (RTC) of Cavite-Tagaytay City, Branch 18. The Assistant Provincial Prosecutor of Cavite, Jose Velazco, Jr., represented the State. Malabanan and a witness, Aristedes Velazco, testified during the hearing. A Certification dated June 11, 2001, from the Community Environment & Natural Resources Office (CENRO-DENR), verified that the property was within alienable or disposable land per a classification map approved on March 15, 1982.

On December 3, 2002, the RTC ruled in favor of Malabanan, prompting the Republic of the Philippines to appeal the decision to the Court of Appeals (CA), arguing that Malabanan failed to prove that the property belonged to the alienable and disposable land of the public domain and that the required possession time was not met under the law.

The CA reversed the RTC's decision on February 23, 2007, dismissing Malabanan's application. The basis was that the property was declared alienable and disposable only on March 15, 1982—possession before this date could not be counted towards the required period under Section 14(1) of the Property Registration Decree.

Malabanan passed away while the case was pending, and his heirs appealed the CA decision to the Supreme Court, which decided to tackle the case en banc, given its implications on the applicability and scope of original registration proceedings under Sections 14(1) and 14(2) of the Property Registration Decree.

Issues:

1. Whether the land must be classified as alienable and disposable as of June 12, 1945, or if such classification at any time prior to the application for registration is sufficient, provided the applicant has been in possession since June 12, 1945, or earlier.
2. Whether a parcel of land classified as alienable and disposable may be registered under Section 14(2) of the Property Registration Decree in relation to the Civil Code on acquisitive

prescription.

3. Whether petitioners are entitled to registration of the subject land under Section 14(1), Section 14(2) of the Property Registration Decree, or both.

Court's Decision:

The Supreme Court, reiterating its ruling in *Republic v. Naguit*, decided that the correct interpretation of Section 14(1) of the Property Registration Decree does not necessitate the property to be alienable and disposable as of June 12, 1945. It held that the property only needs to be declared alienable and disposable at the time of the application for registration, provided the applicant has demonstrated possession under a bona fide claim of ownership since June 12, 1945, or earlier.

For Section 14(2), the Court clarified that acquisitive prescription under the Civil Code could not be used to acquire alienable lands of the public domain, as these lands are not susceptible to prescription.

The Court denied the petition, affirming the CA's decision and dismissing the application for registration, as the applicants failed both to prove possession since June 12, 1945, or earlier and the property's alienable and disposable status as of that date.

Doctrine:

1. For registration under Section 14(1) of the Property Registration Decree, what is crucial is the applicant's possession under a bona fide claim of ownership since June 12, 1945, or earlier, and that the land has been declared alienable and disposable by the time of the application.
2. Alienation of lands of the public domain through acquisitive prescription under the provisions of the Civil Code (Section 14(2) of the Property Registration Decree) is inapplicable to alienable lands of the public domain.

Class Notes:

- Alienability and disposability of public lands are crucial for the original registration of titles under the Property Registration Decree.
- Possession since June 12, 1945, or earlier, under a bona fide claim of ownership, is key for applications under Section 14(1).
- Acquisitive prescription under Section 14(2) cannot be used to register lands of the public domain as private property.
- The Regalian Doctrine underpins all land ownership in the Philippines, with all lands

presumed to belong to the State unless proven otherwise.

Historical Background:

The case against the backdrop of Philippine land law reform underscored the complexities of formalizing informal land titles, the nuances of public land categorization (alienable vs. inalienable), and the challenges of reconciling colonial-era land possession with contemporary legal frameworks. It highlighted the broader themes of land ownership, state sovereignty over natural resources, and the legal formalization of land titles in post-colonial societies grappling with inherited legal systems.