

Title:

Director of Lands vs. Eugenio Aballa et al.: A Constitutional Examination of Act No. 3327 in Cadastral Proceedings

Facts:

In the cadastral case concerning the municipality of Jaro, Leyte, several claimants, represented by their attorney, petitioned the Court of First Instance of Leyte to dismiss the cadastral proceeding. They argued that Act No. 3327, under which the cadastral proceeding was initiated, is unconstitutional for violating property rights and due process as guaranteed by the Jones Law and the Philippine Organic Act. The petition further alleged the cadastral project was illegal and void due to procedural inconsistencies and non-compliance with legal and regulatory requirements, including fraudulent project approval and non-conformity with Bureau of Lands' regulations. When their motion was denied on May 5, 1929, the claimants appealed, challenging the constitutionality of Act No. 3327, focusing on sections 1 and 3 concerning the restriction on the right to contract and the procedure for default in survey fee payments, respectively.

Issues:

1. Whether Act No. 3327 is unconstitutional for infringing on property rights and the right to due process.
2. Whether procedural irregularities in the cadastral proceeding render it illegal and void.

Court's Decision:

The Supreme Court affirmed the decision of the Court of First Instance of Leyte, holding that Act No. 3327 is constitutional and does not violate property rights or the right to due process. The Court reasoned that property and contract rights are not absolute and can be regulated under the State's police power for the public welfare. The Court highlighted that the compulsory registration of land titles, as mandated by the Act, serves the public interest by promoting order, increasing economic activities, and aiding in the country's development, all of which are legitimate exercises of police power. Furthermore, the Court found no issue with the procedure for collecting survey fees as outlined in Section 3 of Act No. 3327, noting the involvement of government departments ensures public and individual interests are protected.

Doctrine:

1. **Police Power and Property Rights:** The right to contract and property rights are not absolute and may be regulated by the legislature under the State's police power for the

public good.

2. **Compulsory Registration of Land Titles:** Mandating the registration of land titles serves the public interest and does not infringe upon constitutional rights, as it provides due process and promotes general welfare.

Class Notes:

- **Police Power:** The State's capacity to regulate behaviors and enforce order within its territory for the betterment of health, safety, morals, and general welfare of its inhabitants.
- **Property Rights:** While fundamental, these rights can be subject to reasonable limits for the public welfare.
- **Due Process:** A constitutional principle that requires the government to respect all legal rights owed to a person according to the law. It applies to both substantive and procedural protections.
- **Act No. 3327:** Relates to the cadastral survey and registration procedure, subjected to governmental regulation and oversight to ensure equitable and reasonable processes.

Historical Background:

The use of cadastral surveys and the process for registering land titles in the Philippines, as facilitated by Act No. 3327, represents a critical period in the country's history where land reform and modernization of land registration were central to economic development and governance. The debate over the constitutionality of such regulations reflects the balancing act between individual rights and the public interest, a theme recurring in legal discourse as the Philippines navigated its path towards independence and beyond.