

****Title:**** Pablo C. Hidalgo v. Sonia Velasco (Unlawful Detainer and Jurisdiction)

****Facts:****

The core of this legal controversy lies in the possession dispute over Cadastral Lot No. 77, a 352 square meter residential property in Barangay Santa Lucia, Narvacan, Ilocos Sur. Pablo C. Hidalgo (petitioner) claims ownership based on a Deed of Donation executed in 2000 by the late Juana H. Querubin, whilst Sonia Velasco (respondent) occupied the property under the claim of ownership from Josefina Reintegrado Baron. Hidalgo demanded Velasco to vacate in 2005 and 2006, leading to an Unlawful Detainer and Damages complaint filed by Hidalgo against Velasco in the Municipal Circuit Trial Court (MCTC), Narvacan-Nagbukel, Ilocos Sur. The MCTC, considering the case as an unlawful detainer suit, ruled in favor of Hidalgo. Velasco appealed to the Regional Trial Court (RTC), which ruled the MCTC had no jurisdiction over the case as it was improperly filed as an unlawful detainer suit. The Court of Appeals (CA) affirmed the RTC's decision, leading to Hidalgo's petition for review to the Supreme Court.

****Issues:****

1. Whether the MCTC had jurisdiction over Hidalgo's Complaint for Unlawful Detainer and Damages.
2. Whether the complaint satisfies the jurisdictional requirements to be considered as an action for unlawful detainer.
3. Whether the proper remedy for the petitioner is accion publiciana or accion reivindicatoria instead of unlawful detainer.

****Court's Decision:****

The Supreme Court affirmed the decision of the CA, holding that the MCTC did not have jurisdiction over the case because the complaint failed to establish the jurisdictional facts required for an unlawful detainer action, namely the initial permission or tolerance of possession by the plaintiff, notice to defendant to vacate, and the defendant's subsequent refusal. The complaint lacked the essential elements such as how the possession by Velasco became illegal, and the action was filed beyond the one-year period requisite for an ejectment suit, making the case improperly filed as an unlawful detainer suit.

****Doctrine:****

The Supreme Court reiterated the doctrine that the determination of jurisdiction over an ejectment suit, such as forcible entry or unlawful detainer, hinges on the allegations made in the complaint. It is paramount that the complaint establishes the specific jurisdictional

facts to qualify the case under the precise legal category, whether it's forcible entry or unlawful detainer.

****Class Notes:****

- Ejectment Suits: Distinguished between forcible entry (possession taken by force) and unlawful detainer (possession initially legal but subsequently becomes illegal, e.g., upon lease expiry without renewal).
- Jurisdictional Requirements for Unlawful Detainer: Initial permission by plaintiff, notice to defendant to vacate marking possession as illegal, defendant's refusal, and filing of the complaint within one year from the last demand.
- Remedies for Possession Disputes: Distinguish between accion interdictal (forcible entry or unlawful detainer which must be filed within 1 year from unlawful withholding of possession), accion publiciana (the recovery of the right to possess), and accion reivindicatoria (recovery of ownership).

****Historical Background:****

This case highlights the challenges in property disputes in the Philippines, emphasizing the importance of clear legal requirements for the filing of ejectment suits. It also demonstrates the judicial expectation for specificity in pleadings to correctly invoke court jurisdiction and the appropriate legal remedy.