

Title:

Ricardo Presbitero vs. The Hon. Jose F. Fernandez, Helen Caram Nava, and the Provincial Sheriff of Negros Occidental

Facts:

This case revolves around a judgment rendered by the Court of Appeals on October 14, 1959, against Espiridion Presbitero, which became final and involved a directive to execute deeds of reconveyance for specific lots or pay their value, in addition to other damages and costs. Following unsuccessful attempts to amicably settle the case, a partial writ of execution was issued for P12,250.00. Subsequently, sheriff's levies were placed on Espiridion Presbitero's sugar quotas. Attempts by plaintiff Helen Caram Nava to secure judgment values for lots eventually led to court orders directing such payment or delivery of the clean titles of lots in lieu. Upon Espiridion's death, proceedings for the settlement of his estate were commenced, and a motion was filed by the special administrator, Ricardo Presbitero (petitioner), to set aside the writs of execution on various grounds, including that the sugar quotas were improperly garnished. This motion was denied, prompting the filing of the present certiorari petition.

Procedural Posture:

The procedural journey involved multiple motions and applications for writs of execution based on the judgment against Espiridion Presbitero, culminating in the garnishment of sugar quotas assigned to his land. Following his death, Ricardo Presbitero, as the executor of the estate, moved to set aside the writs and the auction sale of the sugar quotas, which motion was denied, leading to this petition for a writ of certiorari against these rulings.

Issues:

1. Whether sugar quotas are considered real (immovable) or personal properties under Philippine law.
2. Whether the levy upon the sugar quotas by the sheriff was valid, considering the classification of sugar quotas as immovable or movable properties.
3. The applicability of certiorari as a remedy for the petitioner.

Court's Decision:

The Court held that sugar quotas, by express provision of law, are deemed to be an improvement attaching to land and thus are classified under immovable properties. The levy upon them by the sheriff without compliance with the prescribed procedure, including filing with the register of deeds, was deemed null and void. Consequently, the writs of execution

and the subsequent actions, including the auction sale, were invalidated. The Court made the preliminary injunction permanent and declared the sheriff's certificate of sale of the sugar quota null and void.

Doctrine:

The Doctrine established in this case is that sugar quotas, as per the Sugar Limitation Law and related statutes, are considered as improvements attached to land; hence, they classify as immovable properties. Their transfer or levy must comply with the prescribed procedures applicable to immovable properties, including registration requirements.

Class Notes:

- Classification of Property: Under Philippine law, property is classified into real (immovable) and personal (movable). This case reaffirms that certain properties, while not physically attached to land, are considered immovable due to their legal character as improvements to the land (ex: sugar quotas).
- Remedial Law Application: Certiorari can be invoked when there's no appeal or any plain, speedy, and adequate remedy in the ordinary course of law, particularly when acts of lower courts are tainted with grave abuse of discretion.

Historical Background:

This case highlights the interactions between agricultural practices (sugar planting) and property law in the Philippines, demonstrating the complex nature of property rights in agricultural economies. The legal treatment of sugar quotas reflects specific historical conditions and economic policies shaping land use and ownership.