

### Title:

**\*\*Rolando Ting vs. Heirs of Diego Lirio: A Land Registration Conflict\*\***

### Facts:

In December 1976, the spouses Diego Lirio and Flora Atienza applied for the registration of title to Lot No. 18281 of the Cebu Cadastral 12 Extension under Land Registration Case (LRC) No. N-983. The Court of First Instance of Cebu, presided by Judge Alfredo Marigomen, granted their application. This decision became final and executory on January 29, 1977, leading to a directive for the issuance of the corresponding decree of registration and certificate of title in favor of the spouses.

Years later, on February 12, 1997, Rolando Ting filed an application for the registration of the same lot under LRC No. 1437-N. The heirs of Diego Lirio opposed this application, citing the earlier final and executory decision as a bar to Ting's application on the ground of res judicata. The Regional Trial Court (RTC) of Cebu subsequently dismissed Ting's application.

Unsatisfied, Ting lodged a petition for review on certiorari, arguing that the absence of a decree of registration from the Land Registration Authority rendered the 1976 decision "extinct," thus incapable of constituting res judicata.

### Issues:

1. Does the decision in LRC No. N-983 constitute res judicata in LRC No. 1437-N?

### Court's Decision:

The Supreme Court denied Ting's petition, upholding the RTC's dismissal of Ting's application on the basis of res judicata. The Court clarified that the judgment in a land registration proceeding is final and executory, and constitutes res judicata against the whole world after the expiration of the appeal period. The absence of a decree of registration does not nullify the effect of a final decision in a land registration case.

The Court also rejected Ting's argument regarding the "extinct" judgment, explaining that land registration cases establish ownership and do not expire in the same manner as judgments in civil actions. The Court emphasized that the purpose of a land registration proceeding is to establish a status, condition, or fact - in this case, ownership - which, once judicially declared, no longer necessitates further action to enforce unless the losing party physically occupies the land.

### Doctrine:

The decision in a land registration proceeding, once final and not appealed within the reglementary period, constitutes *res judicata* against the whole world. Such decisions are not subject to the same enforcement limitations as judgments in civil actions since they establish a status, condition, or fact which remains in effect unless challenged by appropriate legal action by the party in possession.

### Class Notes:

1. **Res Judicata**: This principle bars the re-litigation of a case that has been adjudicated by a competent court and has reached a final decision. In land registration cases, this applies against the entire world once the decision becomes irrevocable.
2. **Land Registration Cases**: The purpose is to establish ownership over a parcel of land. Once ownership is established and confirmed by a final judicial declaration, no further enforcement of said ownership is necessary unless there is a physical occupation by an adversary.
3. **Enforcement of Judgments**: The Supreme Court distinguishes between the enforcement of judgments in civil actions and the enforcement of decisions in land registration cases, noting that the latter, intended to establish a permanent status, do not expire in the same manner.

### Historical Background:

The dispute over Lot No. 18281 of the Cebu Cadastral 12 Extension represents a common issue in Philippine land registration cases - conflicts due to overlapping claims. The land registration system in the Philippines, deeply influenced by the Torrens system introduced during the American colonial period, seeks to provide a definitive record of land ownership. However, the efficacy of this system is sometimes challenged by discrepancies in records, claims of ownership, and issues regarding the issuance of decrees of registration, as was evident in this case.