

Title: Atty. Jose S. Gomez et al. vs. Hon. Court of Appeals et al.

Facts:

This case began on August 30, 1968, when the petitioners, heirs of Teodoro Y. Gomez and Consolacion M. Gomez, filed an application to register several lots in Bayombong, Pangasinan, as their inherited property. The lots, initially part of larger lots covered by Plan Ipd-92, were subdivided into twelve lots (Lots Nos. 1-12 of Plan Psu-54792 Amd.-2) and approved by the Bureau of Lands on November 30, 1963. The petitioners intended to divide the lots among themselves. Having published the required notices and with no opposition filed, the trial court issued a default order and subsequently adjudicated the lots in favor of the petitioners through a decision on August 5, 1981, and an order for decree issuance on October 6, 1981.

A complication arose when, on July 11, 1984, Silverio G. Perez, Chief of the Division of Original Registration, Land Registration Commission, reported that the subject lots were already covered by homestead patents issued in 1928 and 1929, recommending the setting aside of the previous court decisions. The trial court, after a hearing, set aside its earlier decisions on March 25, 1985, a move contested by the petitioners but ultimately upheld by the Court of Appeals on September 17, 1986.

Issues:

1. Whether the respondent judge had jurisdiction to void the final decision from August 5, 1981, and the subsequent order for decree issuance.
2. Whether the duty of the Land Registration Commission officials to issue the decrees is purely ministerial.
3. Whether the decision in **Government of the Philippine Islands vs. Abran**, declaring lands privately owned and not public, governs this case and prevents the lots from being covered by homestead titles.

Court's Decision:

The Supreme Court denied the petition, affirming the decision of the Court of Appeals. It clarified that unlike ordinary civil actions, the finality in land registration cases occurs one year after the entry of the final decree, allowing the court to maintain control over its decision within this period. It also noted that the law necessitates technical expertise from land registration officials post-decision making for the accurate execution of decrees, further supporting the continuous court discretion post-judgment finality. The Court pointed out that **Government of the Philippine Islands vs. Abran** did not preclude homestead

patents from 1928 and 1929, thus, those patents and the lands they covered were correctly considered not part of the lands adjudicated to Consolacion M. Gomez.

Doctrine:

1. The finality of land adjudication in cadastral or land registration proceedings becomes incontrovertible only after the expiration of one year from the entry of the decree of registration.
2. Land registration officials act under the orders of the court and their duty involves technical discretion that allows reference back to the court on doubts, extending beyond the judgment finality but not beyond the issue of decree.

Class Notes:

- **Finality of Judgment in Land Cases:** Unlike ordinary civil cases, a land registration case's decision doesn't achieve finality until one year after the issuance of the registration decree, during which the court retains control over its decision.
- **Role of Land Registration Officials:** Their duty is ministerial in terms of following court orders for decree issuance but involves discretion in technical matters, where they can refer back to the court.
- **Homestead Patents:** A registered homestead patent garners the same indefeasibility and incontrovertibility as a title obtained under the Torrens system.
- **Relevant Statutes:**
- Section 30 & 32 of P.D. No. 1529 (Property Registration Decree) lay out the process post-judgment towards the final decree issuance in land registration cases.
- The doctrine emphasizing the exclusive nature of Torrens titles once a homestead patent is registered under the Land Registration Act.

Historical Background:

The case highlights the intricate procedures and principles surrounding land registration in the Philippines, especially the interaction between judicial decisions and administrative actions within the framework of the Torrens system of land registration. It underlines the challenges posed by historical land grants, like homestead patents, against modern claims and clarifies the court's role in the final adjudication of land titles, emphasizing the unique nature of land registration proceedings compared to other civil cases.