

Title: Paulmitan et al. v. Court of Appeals et al.

Facts:

Agatona Sagario Paulmitan, deceased since 1953, left behind two parcels of land in Negros Occidental, Philippines. She was survived by her two legitimate sons, Pascual (deceased 1953) and Donato Paulmitan (petitioner), who later became involved in a legal battle over her estate with Pascual's children (respondents). The case revolves around the extrajudicial settlement and sale of the properties by Donato, which were contested by Pascual's descendants.

In 1963, Donato executed an Affidavit of Declaration of Heirship, claiming to be the sole surviving heir and adjudicating unto himself one of the lots. Later, in 1974, he executed a Deed of Sale over the second lot in favor of his daughter, Juliana P. Fanesa (petitioner), who subsequently redeemed the property from the Provincial Government of Negros Occidental for non-payment of taxes.

In 1975, the respondents filed a Complaint in the Court of First Instance of Negros Occidental to partition the properties and claim damages. The issue of ownership, particularly pertaining to Lot No. 1091, was contested leading to a trial focused on this lot after an affirmative defense of prescription concerning Lot No. 757 was upheld for the petitioners.

Issues:

1. Whether the principle of co-ownership applies to the disputed estate.
2. The validity of the sale of Lot No. 1091 by Donato to Juliana P. Fanesa in the context of co-ownership.
3. Whether the redemption of a property forfeited for non-payment of taxes by a co-owner vests exclusive ownership.
4. The obligation of co-owners with regard to contributions for redemption costs and profits derived from the disputed property.

Court's Decision:

- The Court ruled that upon the death of Agatona Sagario Paulmitan, her surviving sons, Donato and Pascual, became co-owners of the estate. Pascual's descendants, as his heirs, became co-owners upon his death.
- The sale of Lot No. 1091 by Donato to Juliana did not terminate the co-ownership nor vest exclusive ownership in Juliana. It merely transferred Donato's share, making Juliana a co-

owner with the respondents.

- Juliana's redemption of the property from the provincial government did not end the co-ownership. She was entitled to reimbursement for half of the redemption price from the co-owners but did not gain exclusive ownership.
- The Court affirmed the trial court's decision requiring partition of the land and the reimbursement of costs related to its redemption and profits from its use.

Doctrine:

- A co-owner's sale of property held in common without the consent of the other co-owners transfers only the seller's undivided share to the buyer, making the buyer a co-owner until the property is divided.
- Redemption of property by a co-owner does not terminate the co-ownership nor vest in the redeemer exclusive ownership of the property. They are entitled to reimbursement for expenses from the co-owners.

Class Notes:

- ****Co-ownership****: Co-owners hold equal rights to a property, and any action taken by one regarding the property's disposition affects only their share unless agreed otherwise by all co-owners.
- ****Right of Redemption****: A co-owner redeeming a property held in common is entitled to reimbursement for the redemption costs from the other co-owners but does not acquire sole ownership of the property.
- ****Partition of Property****: In case of disputes, a property held in co-ownership must be partitioned, either by agreement among the co-owners or through court-appointed commissioners if an agreement cannot be reached.
- ****Relevant Legal Provisions****: Civil Code of the Philippines, particularly on co-ownership (Articles 484-501), and redemption (Article 1613).

Historical Background:

This case reflects the complexities of inheritance and property disputes within Filipino families, which are common and often involve unregistered or improperly transferred land titles. It underscores the importance of the Civil Code's provisions on co-ownership, succession, and the proper adjudication of estates.