

### Title:

**\*\*Custodio v. Corrado: A Case of Recovery of Possession and Ownership\*\***

### Facts:

The case revolves around Rosendo F. Corrado (respondent) filing Complaints against Melchor Custodio (petitioner) for recovery of possession and damages concerning a residential lot in Calatagan, Batangas. The lot, registered under Corrado's name, is allegedly occupied by Custodio under dubious claims of a tenancy relationship with Corrado's father.

Initially, in 1993, Corrado filed an ejectment case against Custodio, which was dismissed due to jurisdictional issues, lack of barangay conciliation, and failure to prove by preponderance of evidence. Following this, in 1995, Corrado filed another Complaint (the core of this petition), which after going through the Municipal Trial Court (MTC) and Regional Trial Court (RTC), ended up in the Court of Appeals (CA). The CA affirmed the RTC's decision to reverse the MTC's dismissal, recognizing Corrado as the lot's true owner and ordering Custodio to vacate.

### Issues:

1. Application of the principle of res judicata: Whether the prior ejectment case's dismissal affects the current action for recovery of possession and ownership.
2. Determination of cause of action: Whether there's an identity of causes of action between the ejectment case and the recovery case.
3. Existence of tenancy relationship: Whether evidence supports Custodio's claim of a tenancy relationship with Corrado's father.

### Court's Decision:

The Supreme Court denied Custodio's petition, affirming the CA and RTC decisions. It ruled:

- **\*\*Res Judicata\*\***: The principle is inapplicable as the ejectment case (Civil Case No. 116) was not decided on merits and has a different cause of action from the recovery case (Civil Case No. 120).
- **\*\*Cause of Action\*\***: There is no identity of causes of action between the two cases, as the ejectment case focused on de facto possession, whereas the current case involves recovery of ownership and possession.

- **Tenancy Relationship**: The claim was not established by preponderance of evidence. Moreover, stipulations during the pre-trial (e.g., Custodio was never Corrado's tenant) cannot be contested.

### ### Doctrine:

- **Res Judicata**: For the principle to bar a subsequent action, the judgment must be final, on merits, by a court with jurisdiction, and there must be identity in parties, subject matter, and causes of action.
- **Cause of Action**: Differentiation between ejectment (possession de facto) and recovery cases (ownership and possession) underlines that an ejectment judgment does not preclude recovery actions.

### ### Class Notes:

- **Res Judicata Elements**: (1) Final judgment (2) Court jurisdiction (3) Judgment on the merits (4) Identity of parties, subject matter, causes of action.
- **Action Differentiation**: Ejectment cases address possession de facto, while recovery cases concern ownership and the right of possession.

### ### Historical Background:

This case illustrates the Philippine legal system's procedural and substantive mechanisms in handling disputes of possession and ownership, showcasing the distinct treatments and repercussions between ejectment cases and recovery of possession/ownership actions, underlining principles like res judicata's application.