

### Title:

\*\*Javier vs. Lumontad: A Case of Forcible Entry and Accion Reivindicatoria\*\*

### Facts:

The chain of events began when Homer C. Javier, through his mother and natural guardian, Susan G. Canencia, filed a complaint for forcible entry against Susan Lumontad with the Municipal Trial Court of Taytay, Rizal (MTC), alleging unauthorized entry and construction on a portion of land previously owned by Javier's late father. Lumontad countered, claiming ownership of the contested portion via a tax declaration in her name, asserting her possession was lawful.

The MTC dismissed the complaint, suggesting a lack of jurisdiction and cause of action, foreseeing the matter as one of accion publiciana or accion reivindicatoria. Javier appealed to the Regional Trial Court of Antipolo City (RTC), which reversed the MTC's decision, ruling in his favor and mandating Lumontad's vacation of the property and payment for its usage.

Lumontad appealed to the Court of Appeals (CA), which overturned the RTC's decision, remanding the case for trial on the merits of ownership and possession recovery, underlining that the issues of possession and ownership were interlinked essentially, requiring a comprehensive adjudication by the RTC.

Javier challenged the CA's decision at the Supreme Court, arguing against the remand and for the upholding of the RTC's decision favoring forcible entry.

### Issues:

1. Whether the case constitutes forcible entry or necessitates action for recovery of ownership and possession (accion reivindicatoria).
2. If the adjudication of forcible entry was properly conducted across judicial instances.
3. Whether the Supreme Court should uphold the CA's decision to remand the case to the RTC for trial on ownership and possession merits.

### Court's Decision:

The Supreme Court disagreed with the CA's and MTC's interpretation, affirming that the complaint was adequately framed as a matter of forcible entry, supported by the allegations of unlawful and forceful dispossession by Lumontad. The Supreme Court elaborated on jurisdictions of forcible entry cases, clarifying that when ownership issues are raised, MTCs can provisionally resolve these to address possession disputes. Yet, on merits, the Court

sided with the CA in dismissing Javier's complaint, noting failures in substantiating his de facto possession of the contested land portion, leading to the dismissal of his forcible entry claims.

### ### Doctrine:

This case reaffirmed that in forcible entry actions, the nature and court jurisdiction are determined by the complaint's allegations, emphasizing that the dispossession's manner (force, intimidation, threat, strategy, or stealth) needs to be sufficiently alleged. Also, it reiterated that first-level courts (MTCs) hold exclusive and original jurisdiction over ejectment cases, even when intertwined with ownership questions, their determinations on ownership being provisional for possession's sake.

### ### Class Notes:

- **\*\*Forcible Entry\*\***: Requires previous physical possession by the claimant and dispossession through force, intimidation, threat, strategy, or stealth.
- **\*\*Jurisdiction\*\***: Determined by complaint allegations. Forcible entry falls under MTC exclusive and original jurisdiction.
- **\*\*Ownership vs. Possession\*\***: In ejectment cases, provisional determinations on ownership can be made solely for resolving possession disputes.
- **\*\*Accion Reivindicatoria\*\***: An action aimed at recovery of ownership, beyond mere possession, falling within RTC's jurisdiction.

### ### Historical Background:

The case underscores the critical distinction between forcible entry (focused on de facto, or physical possession) and actions for recovery of ownership (accion reivindicatoria), reflecting on the procedural journey through the Philippine legal system's various tiers - from MTCs through RTCs and ultimately the Court of Appeals and the Supreme Court, emphasizing the judiciary's tiered approach to resolving complex interlinked issues of possession and ownership.