

Title: Felicidad Javier vs. Hon. Regino T. Veridiano II, et al.

Facts:

This case revolves around a dispute over possession and ownership of a parcel of land in Lower Kalaklan, Olongapo City, Philippines. The series of legal contests began on 25 January 1963 when Felicidad Javier filed a Miscellaneous Sales Application for Lot No. 1641, Ts-308 with the District Land Officer of the Bureau of Lands. By December 1970, Javier, alleging forcible dispossession by Ben Babol, instituted a complaint for forcible entry before the City Court of Olongapo City, which was dismissed in November 1972 on the ground that the area in question was considered outside Javier's claimed lot. This dismissal became final and executory in April 1973.

Despite being granted Miscellaneous Sales Patent No. 5548 and Original Certificate of Title No. P-3259 for the lot in December 1973, Javier encountered further possession issues when the area was sold by Babol to Reino Rosete. After failed demands for the area's surrender, Javier filed a complaint for quieting of title and recovery of possession with damages against Babol and Rosete in June 1977. Rosete moved to dismiss on grounds of *res judicata*, which the Court of First Instance of Zambales granted in January 1978. Javier's motion for reconsideration was denied, leading to a petition for review on certiorari.

Issues:

1. Whether *res judicata* bars the institution of Civil Case No. 2203-0, considering the previous final and executory decision in Civil Case No. 926.
2. The presence of identity of parties and causes of action between the two cases.

Court's Decision:

The Supreme Court granted Javier's petition, reversing and setting aside the dismissal orders of the then Court of First Instance of Zambales. The Court ruled that there was no identity of causes of action between the two cases: the earlier being a complaint for forcible entry focused on possession, and the latter being effectively an *accion reivindicatoria* focused on ownership and recovery of possession. Therefore, the dismissal on grounds of *res judicata* was erroneous.

Doctrine:

The Supreme Court clarified that for *res judicata* to bar the institution of a subsequent action, four requisites must concur: final judgment or order, jurisdiction over the subject matter by the court rendering judgment, the former judgment being on the merits, and

identity of parties, subject matter, and causes of action between the first and second actions. Moreover, the Court distinguished between accion interdical (forcible entry or unlawful detainer), accion publiciana, and accion reivindicatoria, underscoring that judgments in cases of forcible entry or detainer only resolve the issue of possession, not ownership.

Class Notes:

- **Res judicata**: Requires four requisites; specifically focuses on the importance of identity of causes of action, which was not present in this case.
- **Accion interdical vs. Accion reivindicatoria**: Distinguishes between cases focused on possession (accion interdical) versus those focused on ownership (accion reivindicatoria).
- **Substantial identity of parties**: For res judicata to apply, absolute identity of parties is not required but substantial identity, involving successors in interest by title subsequent to the commencement of the action.

Historical Background:

The context of this legal battle highlights the intricacies of Philippine land dispute resolution, particularly when it involves succession of interests and the procedural posture concerning the utilization of different remedies for recovery of possession and ownership. This case exemplifies the judicial process in determining the appropriate action for resolving disputes over real property, reflecting the evolution of property law in Philippines jurisprudence.