

### Title:

Paul P. Gabriel, Jr., et al. vs. Carmeling Crisologo

### Facts:

In 2006, Carmeling Crisologo, through her attorney-in-fact Pedro Isican, filed a complaint for Recovery of Possession and/or Ownership with Damages against Juliet B. Pulkera, Paul P. Gabriel, Ireneo C. Calwag, and Thomas L. Tingga-an (petitioners) in the Municipal Trial Court in Cities, Branch 1, Baguio City (MTCC). Crisologo alleged she owned two parcels of land, covered by Transfer Certificate of Title (TCT) Nos. T-13935 and T-13936, which the petitioners unlawfully occupied and built houses on without her consent.

The petitioners countered, arguing the titles were void, based on previous Supreme Court rulings in “Republic v. Marcos” and the enactment of Presidential Decree (P.D.) No. 1271, which nullified certain types of land registration within the Baguio Townsite Reservation. They claimed to possess the land in good faith.

The MTCC ruled in favor of Crisologo, ordering the petitioners to vacate and compensate for their use of the land. The petitioners appealed, and the Regional Trial Court (RTC) reversed the MTCC’s decision, declaring Crisologo’s titles void and unfit to justify the eviction of petitioners. Crisologo then appealed to the Court of Appeals (CA), which reinstated the MTCC’s ruling favoring her. Dissatisfied, the petitioners filed a petition for review with the Supreme Court.

### Issues:

1. Whether the respondent Carmeling Crisologo has actual or prior possession of the lands.
2. Whether the execution and registration of sale and the subsequent issuance of titles in Crisologo’s name establish possession.
3. Whether tax declarations and receipts prove Crisologo’s possession over the subject lots.
4. Whether the appointment of Pedro Isican as an administrator establishes Crisologo’s possession over the disputed lands.
5. Whether Crisologo’s supposed possession should be preferred regardless of the actual condition of her titles.
6. Whether the petitioners disturbed Crisologo’s possession by force.
7. Whether Crisologo’s supposed possession should be preferred despite the property being part of the public domain.

### Court’s Decision:

The Supreme Court denied the petition, holding Crisologo had a better right of possession over the subject parcels of land. It reasoned that an action for recovery of possession (accion publiciana) primarily seeks to determine possession, not ownership. The Court found Crisologo's acquisition of the properties and consistent payment of realty taxes since 1969 as indicative of her just claim to possession. Moreover, the Court emphasized that petitioners, as private individuals, cannot question the status of Crisologo's registered titles and that her titles, being under the Torrens system, give her a presumptive right to possess the properties.

**### Doctrine:**

The Supreme Court reiterated that a Torrens title is conclusive evidence of ownership and confers upon the title holder all attributes of ownership, including possession. Additionally, it affirmed that a certificate of title cannot be subject to collateral attack, meaning its validity cannot be challenged through indirect means.

**### Class Notes:**

- Acción Publiciana is an ordinary civil proceeding to determine the better right of possession of realty independently of title. It is to recover possession only, not ownership.
- A Torrens title provides its holder with a presumptive right to possession and is immune from collateral attacks.
- Presidential Decree (P.D.) No. 1271, which concerns the nullification and validation of certain titles within the Baguio Townsite Reservation, specifies conditions under which previously voided titles can be considered valid.
- The principle of stare decisis, referring to the doctrine of adhering to precedents, underscores the importance of consistency in judicial decisions.

**### Historical Background:**

This case illustrates the ongoing legal challenges surrounding land titles within the Baguio Townsite Reservation, a historically contentious area due to overlapping claims and the complexity of land registration laws, including P.D. No. 1271 and related Supreme Court rulings on land title validity.