

### Title:

Clemente v. Republic of the Philippines (Department of Public Works and Highways, Region IV-A)

### Facts:

This case revolves around the revocation of a donation made by the Clemente Siblings (Amado A. Clemente, Dr. Vicente A. Clemente, Judge Ramon A. Clemente, and Milagros A. Clemente) on March 16, 1963, where a one-hectare portion of their property was donated to the Republic of the Philippines for the construction of a hospital. Despite initial construction efforts, the hospital was never completed, leading Socorro T. Clemente, heir and successor-in-interest of Mayor Clemente, to file a complaint in 2004—41 years later—for Revocation of Donation, Reconveyance, and Recovery of Possession, alleging non-compliance with the condition of the donation. The Regional Trial Court (RTC) dismissed the case on grounds of prematurity. Socorro’s appeal to the Court of Appeals (CA) was also dismissed due to issues regarding the proper representation of heirs and premature initiation of the suit. Socorro appealed to the Supreme Court.

### Issues:

1. Is the “settlement of an estate” or “determination of heirs, full liquidation of the estate, and payment of estate debts” required before filing an action for revocation of donation, reconveyance, and recovery of possession?
2. Can the failure of other co-heirs to join in the action be grounds for its dismissal?
3. Is the action premature or barred by the doctrines of prescription or laches, notwithstanding the onerous nature of the donation under Article 733 of the Civil Code?

### Court’s Decision:

The Supreme Court granted the petition, reversing the CA’s decision and ordering the reconveyance of the property to the heirs of the Clemente siblings. The Court ruled that the donation was subject to a resolutive condition that was not fulfilled—construction and use of the land for a government hospital. The failure to comply gives rise to the right of revocation. It was further held that settlement of an estate is not required before an heir can sue for recovery of property donated, and an action by one heir, if benefitting all, does not necessitate the participation of all co-heirs. Finally, the Court found that the action was neither premature nor barred by prescription or laches since the specific circumstance that the construction of the hospital was never intended to be completed has elapsed a reasonable period for compliance.

### Doctrine:

The decision establishes that a donation subject to a resolutive condition can be revoked if the condition is not fulfilled. Further, it clarifies that an heir can initiate an action for revocation and recovery of property without needing to settle the estate or involve all co-heirs, provided the action benefits all heirs.

### Class Notes:

- **Resolutive Condition:** A condition upon the occurrence of which an existing obligation is extinguished.
- **Onerous Donation:** Governed by the rules on contracts, these are donations with burdens or obligations attached, distinguishable from simple donations by the presence of a counter-prestation or charge.
- **Article 733, Civil Code:** Donations with an onerous cause are governed by the rules on contracts.
- **Article 1197, Civil Code:** Courts may fix the duration for the fulfillment of obligations when no period is specified but implied.
- **Prescription:** The action for reconveyance based on a condition in a Deed of Donation must be instituted within ten years from the non-compliance of the condition.
- **Laches:** Defined as the failure or neglect, for an unreasonable length of time, to assert a right that, through lapse of time, prejudices the adverse party.

### Historical Background:

This case reflects the intricate relationship between the obligations attached to donations with conditions and the rights of heirs in recovering donated properties. The legal principles affirmed by the Supreme Court stem from longstanding doctrines in civil law pertaining to donations, properties, and succession, underscoring the importance of the fulfillment of conditions in maintaining the validity of a donation.