

****Title:**** Government of the Philippines v. Victoriano Aballe, et al., and Salvador Wee: A Case on the Reconstitution of Original Certificate of Title

****Facts:**** Salvador Wee initiated Cadastral Case No. 96-1 on January 2, 1996, seeking judicial reconstitution of Original Certificate of Title No. 0-10046 following its loss/destruction, claiming acquisition via Extra-Judicial Settlement of Estate with Sale from Francisco Rivera's heirs. The property, detailed in the petition, spans 65,926 square meters in Zamboanga City. The Office of the Solicitor General opposed it on behalf of the government. The case proceeded with a Notice of Hearing issued on June 26, 1997, posted in various public places and published in the Official Gazette. On June 24, 1998, the RTC granted the reconstitution. The Government appealed, contending the RTC's lack of jurisdiction due to non-fulfillment of notice requirements to adjoining owners.

****Procedural Posture:**** The case escalated through the judicial hierarchy, starting at the RTC, which approved Wee's request for reconstitution. The Government's appeal to the CA was dismissed, affirming the RTC's decision. The Government then escalated the matter to the Supreme Court via a Petition for Review under Rule 45 of the Rules of Court, challenging the appellate court's decision on the grounds of jurisdictional non-compliance.

****Issues:****

1. Whether the RTC acquired jurisdiction over the reconstitution case despite alleged non-compliance with the jurisdictional requirements under Section 13 of R.A. No. 26 regarding notice to adjoining property owners.
2. Whether substantial compliance with the requirements for notification is sufficient to confer jurisdiction upon the court in a reconstitution case.

****Court's Decision:****

The Supreme Court held that strict compliance with the notice requirements is imperative for the court to acquire jurisdiction over a reconstitution case. The Court found that Salvador Wee failed to prove that notices were served to the owners of the adjoining properties as required by law, which is a jurisdictional requirement that cannot be substituted by substantial compliance. Based on this failure, the Court ruled that the RTC did not acquire jurisdiction over the case, rendering the proceeding and its resultant order null and void. Thus, the petition by the Government of the Philippines was granted, reversing the CA's decision and dismissing the reconstitution case for lack of jurisdiction.

****Doctrine:**** The case reiterates the doctrine that strict compliance with jurisdictional

requirements, specifically the requirement of notice under Sections 12 and 13 of Republic Act No. 26 in reconstitution cases, is mandatory. The court's jurisdiction in a petition for reconstitution of title is contingent upon the fulfillment of these requirements, without which any proceedings are deemed null and void.

****Class Notes:****

- Jurisdictional requirements in reconstitution cases under R.A. No. 26 must be strictly complied with.
- Notice requirements involve publication in the Official Gazette, posting on specific public buildings, and direct mailing to known addresses of concerned parties.
- Proof of notice requires both the registry receipt issued by the mailing office and an affidavit of the person who mailed the notice. The absence of these proofs invalidates the jurisdiction over the reconstitution case.
- The validity of proceedings in land title reconstitution cases hinges on strict adherence to procedural law, underscoring the importance of procedural law in jurisdictional matters.

****Historical Background:**** This case illustrates the procedural rigors involved in land title reconstitution in the Philippines, reflecting the legal system's emphasis on formalities to ensure clear property ownership and prevent fraudulent claims. It underscores the judiciary's gatekeeping role in safeguarding property rights by stringent adherence to procedural statutes, particularly in cases of reconstitution of lost or destroyed land titles.