

### Title:

**\*\*Samahan ng Magsasaka sa San Josep vs. Valisno et al.: A Case on the Retention Rights of Landowners under the Comprehensive Agrarian Reform Law\*\***

### Facts:

This case revolves around the 57-hectare property in La Fuente, Sta. Rosa, Nueva Ecija, originally owned by Dr. Nicolas Valisno Sr. Before the Presidential Decree No. 27 (PD 27) was enacted, the Valisnos had filed a judicial ejectment suit in 1971 against their tenants, including Dominador Maglalang, who later represents Samahan ng Magsasaka sa San Josep (SMSJ) in this case. Subsequently, 12 hectares of this property were mortgaged and then subdivided, with titles issued to eight children and the mortgagees, Renato and Angelito Banting, on November 8, 1972.

After foreclosure, four of Dr. Valisno's grandchildren redeemed the mortgaged property in 1973, but the titles were only transferred to them in 1998. In 1994, MAGALANG filed a petition under the Comprehensive Agrarian Reform Law (CARL or RA 6657) to cover the whole property, which was initially dismissed but was later resolved in favor of imposing CARP coverage, subject to the heir's retention rights.

The Valisno heirs filed for retention rights in 1997. A Regional Director granted the children of Dr. Valisno Sr. a total of 35 hectares (5 hectares each) but denied the grandchildren's request. On appeal, the DAR Secretary affirmed with modifications, dismissing the grandchildren's claim, which the Court of Appeals later reversed, granting retention rights to the grandchildren.

### Issues:

1. Whether the redemption by Dr. Valisno's grandchildren, who were minors at the time, was valid.
2. Whether the grandchildren, as redemptioners, are entitled to retention rights under RA 6657.

### Court's Decision:

The Supreme Court affirmed the Court of Appeals' decision, holding that the redemption of the property by the grandchildren was valid despite their minority because the act was voidable, not void, and it was never annulled. Consequently, as legal owners of the property by the time of the CARL's application, the grandchildren were entitled to retention rights under RA 6657. Each grandchild was entitled to retain up to 5 hectares, but since the

property in question was only 12 hectares divided up among four grandchildren, their shares were within legal limits.

### ### Doctrine:

The redemption of property by minors is voidable, not void, and remains valid until annulled. Landowners, including legal successors who have acquired their titles by redemption, are entitled to retention rights under RA 6657, provided their claim does not exceed the statutory retention limit of 5 hectares per person.

### ### Class Notes:

- **Voidable Contracts (Civil Code, Art. 1327, 1390)**: Contracts entered by minors are voidable, not void.
- **Retention Rights (RA 6657, Sec. 6)**: Landowners, directly or through legal succession, have the right to retain up to 5 hectares of agricultural land under CARL, with certain qualifications for child beneficiaries.
- **Historical Context**: This case highlights the complexity of implementing agrarian reform laws, balancing the rights of landowners and the state's mandate for equitable land distribution. It demonstrates how legal determinations of land ownership and redemption rights can impact agrarian reform proceedings and the distribution of land to agrarian beneficiaries.

### ### Historical Background:

The intricacies of this case within the broader context of agrarian reform in the Philippines illustrate the challenges in reconciling individual property rights with the state's objectives of equitable land distribution under CARL. This landmark legislation aimed to distribute land to tenant-farmers and provide a just compensation to landowners but has faced numerous legal challenges, such as those presented in this case, complicating its implementation.