

### Title:

Joseph Rementizo vs. Heirs of Pelagia Vda. De Madarieta: A Legal Analysis of Prescription in Annulment of Emancipation Patent and Land Title

### Facts:

The dispute originated from a complaint filed by Pelagia Vda. De Madarieta (Madarieta) against Joseph Rementizo (Rementizo) seeking to annul and cancel an Original Certificate of Title (OCT) and Emancipation Patent (EP) issued to Rementizo for a parcel of land in Camiguin. Madarieta argued that the land, registered under her late husband's name, was wrongfully included in the Department of Agrarian Reform's (DAR) Operation Land Transfer and awarded to Rementizo. Rementizo countered that he had been in possession of the land since 1987, building a house there, and that Madarieta's action was barred by laches and prescription.

The DARAB Provincial Adjudicator initially ruled in favor of Madarieta, declaring the title and patent void. Rementizo appealed to the DARAB Central Office, which reversed the lower decision, validating his title due to lack of opposition from Madarieta's husband during his lifetime and Madarieta's failure to contest the registration within the prescriptive period.

Madarieta brought the case to the Court of Appeals (CA) under Rule 43, challenging the DARAB's decision. Initially, the CA affirmed the title's incontrovertibility but, upon reconsideration, recognized an exception for cases of fraudulently registered property. It declared the emancipation patent void but stated that Madarieta needed to pursue further action in the Regional Trial Court (RTC) for reconveyance.

### Issues:

1. Whether the action for annulment of the emancipation patent, seeking reconveyance of title issued to Rementizo, has already prescribed.

### Court's Decision:

The Supreme Court granted Rementizo's petition, reversing the CA and ruling that Madarieta's complaint was barred by prescription. The Court noted that the emancipation patent and title were issued in 1987, while Madarieta filed her complaint in 1998, beyond the 10-year prescriptive period for reconveyance actions. The Court found that there was no evidence of fraud on Rementizo's part in acquiring the title, which could have suspended the prescriptive period. The Court emphasized the principal issue of prescription in actions for reconveyance of land titles, holding that Madarieta's action was not filed within the

prescribed period.

### ### Doctrine:

The Supreme Court reiterated the doctrine that an action for reconveyance based on implied or constructive trust prescribes in ten years from the issuance of the Torrens title, which is deemed constructive notice to the whole world. Exceptions to this rule are recognized only in instances of possession by the plaintiff or evidence of fraudulent registration, neither of which applied in this case.

### ### Class Notes:

- **\*\*Prescriptive Period for Reconveyance\*\***: An action for reconveyance of property based on implied or constructive trust must be filed within ten years from the issuance of the Torrens certificate of title.
- **\*\*Importance of Possession\*\***: Plaintiff's possession of the disputed property can affect the computation of the prescriptive period for reconveyance actions.
- **\*\*Exception for Fraud\*\***: The prescriptive period for filing an action for reconveyance does not apply when there is evidence of fraudulent registration, provided that the plaintiff can prove fraud convincingly.
- **\*\*Role of DAR in Land Awards\*\***: The DAR's decision to award land under agrarian reform laws is subject to judicial review, particularly when there are questions regarding the rightful beneficiaries of land reform programs.

### ### Historical Background:

This case delves into the complexities arising from the agrarian reform program in the Philippines under Presidential Decree No. 27, highlighting issues related to land ownership disputes, the authority and decisions of DAR, and the vital principles of prescription and reconveyance in property law.