

****Title:**** Socorro P. Cabilao vs. Ma. Lorna Q. Tampan, et al.

****Facts:****

The case revolves around a property dispute initiated by Socorro P. Cabilao against Ma. Lorna Q. Tampan, represented by Judith Tampan-Montinola, and Danilo Tampan concerning a residential property located in Surigao City. The conflict began when Lorna Q. Tampan, then in the United States, through her mother Antonieta, purchased the said property from Socorro Cabilao for P10,000.00 on April 7, 1988, through a Deed of Absolute Sale. The purchase sparked subsequent legal confrontations due to complications in title possession and claims over the property.

The situation escalated when Lorna, attempting to register the title under her name in 1995, discovered the title was missing, leading her through Judith to file for a new owner's duplicate. This action was contested by the spouses Lapulapu and Lelita Buysy, claiming ownership through a purchase from Socorro, ultimately causing Lorna's petition to be dismissed and revealing Socorro's denial of the initial property sale to Lorna.

These disputes culminated in two separate court cases. Lorna and Judith initiated a complaint for nullity of a pacto de retro sale between Socorro and the Buysers, marked as Civil Case No. 4818. In response, Socorro filed an action for Annulment or Cancellation of Document, Quieting of Title/Recovery of Ownership and Possession, Injunction, and Damages against Lorna and Danilo Tampan, tagged as Civil Case No. 4826. Both cases were consolidated by the Regional Trial Court (RTC) on August 23, 1996.

Throughout the trial, both parties contested the validity of the sale and the rightful ownership of the property through various claims and evidence, including testimonies from witnesses to the sale, documents indicating the transaction, and tax payments on the property.

****Issues:****

1. Whether the Deed of Sale between Socorro P. Cabilao and Ma. Lorna Q. Tampan is valid.
2. The impact of possession of the title and non-registration on the validity of the sale.
3. The effectiveness of a notarized document and the presumption of regularity against the allegation of fraud.
4. The relevance of the adequacy of the price to the validity of the sale.

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

The Supreme Court sustained the findings of the Court of Appeals (CA), thereby affirming

the validity of the Deed of Sale between Socorro and Lorna. The Court noted the factual findings of the CA are contrary to those of the RTC but found substantial support for the CA's decisions. The primary issues revolved around the validity of the Deed of Sale, fraud allegations, the impact of notarization, the inadequacy of the price, and the implications of non-registration of the property title.

The Supreme Court held that all elements of a valid contract were present in the Deed of Sale, dismissing Socorro's claims of fraud and improper execution. It emphasized the presumption of authenticity and regularity bestowed upon notarized documents, requiring clear and convincing evidence to overthrow such presumptions, which Socorro failed to provide. Moreover, the Court ruled that the gross inadequacy of price does not affect the validity of the sale unless it indicates a significant defect in consent. Finally, the Court clarified the principle that transfer of ownership is distinct from the registration of the title and is not affected by the delay or lack of registration.

****Doctrine:****

- A duly notarized document enjoys a presumption of authenticity, regularity, and full faith and credence.
- Gross inadequacy of the price does not invalidate a contract unless it indicates a significant defect in consent.
- Transfer of ownership in a sale is distinct and separate from the registration of the title.

****Class Notes:****

1. ****Notarized Documents:**** Carry a presumption of authenticity and due execution that requires substantial evidence to counter.
2. ****Contract Validity:**** Relies on the presence of consent, object, and cause; inadequacy of cost alone does not nullify a contract.
3. ****Ownership vs. Registration:**** Ownership transfer is effected by the execution of the sale document, not the registration of the title.

****Historical Background:****

The dispute symbolizes the complexities involved in property transactions, particularly when involving notaries and the registration of titles. It underscores the importance of understanding legal documents, the implications of notarization, and the protocols for title registration and transfer, reflecting broader issues within the Philippine legal and property system. This case serves as a pivotal reference for property law, emphasizing the sanctity of notarized documents and the principles guiding the execution and validity of sale

transactions.