

Title: Zenaida M. Santos vs. Calixto Santos, Alberto Santos, Rosa Santos-Carreon, and Antonio Santos

Facts:

- **Initial Ownership and Sale (1959-1973):**

- Jesus and Rosalia Santos owned a 154-square-meter parcel of land in Sta. Cruz, Manila, with a four-door apartment.

- On January 19, 1959, they executed a deed of sale transferring the property to their children, Salvador and Rosa.

- Subsequently, Rosa sold her share to Salvador on November 20, 1973, resulting in TCT No. 113221 in Salvador's name.

- **Continued Possession and Administration:**

- Despite the transfers, Rosalia continued to manage and collect rent from the property.

- Maria Santos continued to possess and administer the property, never transferring actual control to Salvador.

- **Deaths and Ejectment Suit:**

- Jesus died in 1979.

- Salvador died on January 9, 1985.

- Rosalia died the following month.

- Zenaida M. Santos, Salvador's widow, claimed inheritance and demanded rent from a tenant, leading to an ejectment suit.

- **Action for Reconveyance (1989):**

- On January 5, 1989, respondents filed an action for reconveyance with preliminary injunction, alleging the deeds of sale were simulated, lacking consideration, and aimed to facilitate Salvador's business ventures.

Procedural Posture:

- **Trial Court (RTC Manila Branch 48) Ruling (1993):**

- RTC ruled in favor of the respondents declaring the deeds of sale null and void, the titles to be cancelled, and the property to be partitioned among heirs of Jesus and Rosalia Santos.

- **Court of Appeals Decision (1998):**

- The Court of Appeals affirmed the RTC's decision, agreeing that continued possession and collection of rent by Jesus and Rosalia negated transfer of control and ownership to Salvador.

Issues:

1. **Ownership through Actions:**
 - Does the payment of realty taxes and continued possession indicate ownership by original owners despite a deed of sale?
2. **Public Instrument and Delivery:**
 - Is the execution of a deed of sale through a public instrument equivalent to the delivery and transfer of ownership of the property?
3. **Prescription of Cause of Action:**
 - Did the right to file an action for reconveyance prescribe?
4. **Application of the "Dead Man's Statute":**
 - Can Zenaida invoke the "Dead Man's Statute" to disqualify Rosa Santos-Carreon from testifying about the deeds of sale?

Court's Decision:

1. **Ownership through Actions:**
 - RTC and CA affirmed that despite the sale, Jesus and Rosalia maintained possession and administration of the property, indicating continued ownership. Neither Salvador nor Rosa exercised rights of ownership.
2. **Public Instrument and Delivery:**
 - Execution of a public instrument does not conclusively presume delivery. The presumption can be rebutted if there is no actual control and possession transfer. In this case, Salvador lacked control over the property, as the original sellers retained dominion.
3. **Prescription of Cause of Action:**
 - The respondents' action for reconveyance did not prescribe. Reconveyance actions based on fictitious or simulated deeds of sale amount to a declaration of nullity, which is imprescriptible.
4. **"Dead Man's Statute":**
 - The petitioner waived her right to invoke the "Dead Man's Statute" by failing to appeal the trial court's decision allowing Rosa to testify and by cross-examining Rosa on matters occurring during Salvador's lifetime.

Doctrine:

1. **Control and Possession as Indicators of Ownership:**

- Continued control and possession of a property by the original owner after a supposed deed of sale can indicate that no true ownership transfer occurred.

2. **Public Instrument and Delivery:**

- Execution of a public instrument is not tantamount to conclusive delivery; actual control and possession must be established.

3. **Imprescriptibility of Actions to Nullify Void Contracts:**

- Actions seeking nullity of void contracts do not prescribe.

4. **Waiver of the "Dead Man's Statute":**

- Invoking the "Dead Man's Statute" is waived if not timely appealed and if the adverse party is cross-examined on the matters under dispute.

Class Notes:

- **Ownership Proof Requirements:**

- Tax receipts and possession for administration purposes must be corroborated with convincing evidence.

- **Public Instrument Delivery:**

- Article 1477 and 1498 of the Civil Code discuss actual versus constructive delivery and require control of the property by the vendee for effecting ownership transfer.

- **Prescriptive Period for Nullity Actions:**

- No prescriptive period applies to actions for nullity of void contracts (fictitious/simulated).

- **"Dead Man's Statute" (Rule 130, Sec. 23):**

- Designed to prevent parties from testifying about communications occurring during the lifetime of a deceased person unless timely and properly executed.

Historical Background:

- This case provides insight into Filipino customs regarding family and respect, which can influence legal proceedings and decisions. It underscores the complexity and nuances involved in property ownership and the importance of establishing actual control for validating deeds of sale.