

**\*\*Title:\*\***

Bicerra v. Teneza and Barbosa, 116 Phil. 969 (1962)

**\*\*Facts:\*\***

1. **\*\*Ownership and Demolition:\*\***

- Plaintiffs (Antonia Bicerra, Domingo Bicerra, Bernardo Bicerra, Cayetano Bicerra, Linda Bicerra, Pio Bicerra, and Eufricina Bicerra) owned a house worth P200.00 constructed on their lot in Lagangilang, Abra.
- In January 1957, Defendants (Tomaso Teneza and Benjamin Barbosa) forcibly demolished the house, claiming ownership of it.

2. **\*\*Custody of Materials:\*\***

- Post-demolition, the materials of the dismantled house were placed under the custody of the local barrio lieutenant.

3. **\*\*Refusal and Damages:\*\***

- Defendants refused to restore the house or return the materials, leading to actual damages for the plaintiffs amounting to P200.00 and additional moral and consequential damages amounting to P600.00.

4. **\*\*Relief Sought:\*\***

- Plaintiffs sought (1) a declaration of ownership over the dismantled house and/or materials and (2) damages totaling P800.00 plus litigation costs.

**\*\*Procedural Posture:\*\***

1. **\*\*Court of First Instance (CFI) Ruling:\*\***

- Defendants filed a motion to dismiss the complaint on grounds that jurisdiction belonged to the Justice of the Peace Court of Lagangilang due to the amount in question and the nature of the property.
- The CFI of Abra granted the motion and dismissed the complaint.

2. **\*\*Appeal to Supreme Court:\*\***

- Plaintiffs appealed to the Supreme Court, arguing the action involved a title to real property, within the exclusive jurisdiction of the CFI.

**\*\*Issues:\*\***

1. Whether the case involved a title to real property, which would place it under the original jurisdiction of the Court of First Instance.
2. Whether, given the demolition of the house, the nature of the claim shifted the matter to the jurisdiction of the Justice of the Peace Court.

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

1. **\*\*Nature of Property Post-Demolition:\*\***

- The Supreme Court ruled that a house, classified as immovable property while it stands (Art. 415, Civil Code), loses that classification upon demolition.
- Since the house no longer existed as such, the relief sought related to personal property claims (materials of the dismantled house).

2. **\*\*Jurisdiction Based on Amount:\*\***

- Considering the claim involved an amount of P800.00 (actual damages of P200.00 and moral/consequential damages of P600.00), it fell within the jurisdiction of the Justice of the Peace Court as the total demand did not exceed P2,000.00 (Sec. 88, R.A. 296, as amended).

3. **\*\*Characterization of Claim:\*\***

- The primary action was for recovery of damages, with a declaration of ownership being ancillary. Therefore, the Supreme Court affirmed the CFI's dismissal of the case, confirming it was within the Justice of the Peace Court's jurisdiction.

**\*\*Doctrine:\*\***

1. **\*\*Immovable vs. Movable Property Conversion:\*\***

- A structure classified as immovable property loses that classification once demolished (Art. 415, Civil Code).

2. **\*\*Jurisdiction Criteria:\*\***

- Actions primarily seeking damages and involving amounts within statutory limits fall under the jurisdiction of lower courts (Justice of the Peace Court) rather than higher courts (Court of First Instance).

**\*\*Class Notes:\*\***

- **\*\*Immovable Property (Civil Code Art. 415):\*\***
- Defined and includes buildings adhered to the soil.
- Conversion to movable upon demolition.

- **Jurisdiction (Sec. 88, R.A. 296, as amended):**
- Claims involving amounts not exceeding P2,000.00 (later increased to P5,000 in R.A. 2613, 1959) fall under the jurisdiction of the Justice of the Peace Courts.
- Primarily spirit of the law looks at the nature of relief sought, not just incidentals like declarations of ownership faced against personal property recovery.

**Historical Background:**

- The case underscores transitional jurisdictional statutes where minor monetary claims transitioned jurisdiction between courts of varying competencies during the 1950s in the Philippines.
- Reflects infrastructure changes in the judiciary system adapting to the economic evolution within statutory laws affecting civil procedures and property rights at the time.