

Banguis-Tambuyat v. Balcom-Tambuyat

Title: Rosario Banguis-Tambuyat, Petitioner, vs. Wenifreda Balcom-Tambuyat, Respondent

Facts:

- September 16, 1965:** Adriano Tambuyat and Wenifreda Balcom-Tambuyat get married.
- November 17, 1991:** Adriano acquires a 700-square meter property in Barangay Muzon, San Jose del Monte, Bulacan.
- Transfer Certificate of Title (TCT) No. T-145321 (M)** is issued in the names of “Adriano M. Tambuyat married to Rosario E. Banguis.”
- October 15, 1975:** Rosario Banguis marries Eduardo Nolasco, a subsisting marriage during all material times of this case.
- September 2, 1988:** Rosario claims she married Adriano and had a son, Adrian, with him on April 1, 1990.
- June 7, 1998:** Adriano dies intestate.
- October 18, 1999:** Wenifreda files a petition to cancel TCT T-145321, alleging it was erroneously registered and made in the name of Adriano married to Rosario.
- May 26, 2003:** Regional Trial Court (RTC) of Malolos, Bulacan, Branch 10 orders the cancellation of TCT T-145321 and issuance of a new title, awarding damages against Rosario.
- Rosario appeals the RTC decision to the Court of Appeals (CA).
- February 14, 2012:** CA affirms the RTC decision with modifications, deleting awards for damages.
- Rosario’s motion for reconsideration is denied on July 26, 2012.
- Rosario files for a Petition for Review on Certiorari to the Supreme Court.

Issues:

- Whether the trial court has jurisdiction to cancel TCT T-145321 under Section 108 of PD 1529.
- Whether the court disregarded Rosario’s proof of ownership and possession over the subject property.
- Whether the trial court ignored Article 148 of the Family Code on property sharing in a defective marriage.
- Whether it was correct to grant immediate execution despite Rosario’s pending appeal.

Court’s Decision:

1. **Jurisdiction**: The Supreme Court found that the trial court rightfully asserted jurisdiction under Section 108 of PD 1529. The proceeding involved rectification of errors in the certificate and did not necessitate addressing broader ownership issues or succession.
2. **Ownership & Possession**: The evidence indicated that Adriano was the sole vendee of the property, with Rosario merely a witness on the deed. Rosario's claims of contributing funds were unsupported, weakening her assertion of ownership.
3. **Defective Marriage**:
 - Rosario was legally married to Eduardo Nolasco while living with Adriano, and therefore, her claim under Article 148 of the Family Code failed. The marriage's invalidity disqualified her from claiming co-ownership with Adriano.
 - The alleged cohabitation merits no recognition under Philippine law for property claims when there exist valid subsisting marriages to other individuals.
4. **Execution Pending Appeal**: Given the summary nature of the proceedings and Rosario's absence from hearings, the execution pending appeal was upheld by default. The issues of ownership raised by Rosario were extraneous to the error correction scope of the trial court, rendering the immediate execution legally appropriate.

Doctrine:

- **Section 108 of PD 1529** authorizes rectification of clerical errors in the land title certificates succinctly and can encompass contentious matters provided they pertain directly to correcting mistakes or refusing erroneous entries.
- **Subsisting Marriages**: Under Philippine law, cohabitation outside marriage (considered adulterous relationships) confers no legal property rights or recognition akin to lawful marriage.
- **Title vs. Ownership**: A certificate of title is distinct from ownership; the former serves as evidence of the latter but does not by itself confer indefeasible rights.

Class Notes:

- **Section 108, PD 1529**: Correction or amendment of land titles can proceed even amid limited controversies, focusing on clerical errors and proper title attributions.
- **Article 148, Family Code**:
 - Applies to defective marriages where properties acquired through joint contributions of parties are considered owned in common.
 - Properties do not vest if there's subsisting marriage to other individuals, invalidating common-law assertions.
- **Jurisprudence** underscores distinguishing certificate of title from ownership.

****Historical Background:****

This case underscores the legal distinction the Philippine judicial system maintains between civil register records and personal civil statuses, particularly in land and property registration under the Torrens system. The recognition of lawful marriage over cohabitation agreements, despite long-term social partnerships, reflects Philippine marital laws emphasizing formal and statutory marital ties.