

Title:

Sps. Tedy Garcia and Pilar Garcia v. Loreta T. Santos, Winston Santos, and Conchita Tan

Facts:

- **February 18, 2009:** The Spouses Tedy and Pilar Garcia filed a complaint against Spouses Loreta and Winston Santos and Conchita Tan in the Regional Trial Court (RTC) of Iloilo City, Branch 31, alleging obstruction of light, air, and view caused by a new construction on Lot 1.
- **Property Details:** The Sps. Garcia owned Lot 2, Blk. 1, Southville Subdivision, Molo, Iloilo City, bought from the Sps. Santos in October 1998, inclusive of a one-story residential house. Lot 1, adjoining Lot 2, was idle and also initially owned by the Sps. Santos.
- **January 24, 2009:** Sps. Santos began construction on Lot 1, which allegedly obstructed the Garcia's view and natural light.
- **February 19, 2009:** RTC granted a Temporary Restraining Order (TRO) against the Sps. Santos; TRO lifted on March 20, 2009.
- **February 27, 2009:** Respondents filed an Amended Answer with Counterclaim, contesting the validity of the easement claim and asserting the sufficiency of lateral support provided during excavations.
- **April 28, 2011:** RTC denied the Sps. Santos' motion to dismiss by demurrer to evidence.
- **May 20, 2013:** Court of Appeals (CA), Twentieth Division, denied the Santos' certiorari petition against RTC's denial.
- **May 28, 2015:** RTC ruled in favor of Sps. Santos, dismissing the complaint.
- **Appeal by Sps. Garcia:** The case was elevated to the CA, Special 18th Division, which affirmed the RTC decision on June 30, 2016. Motion for reconsideration was denied on October 5, 2016.
- **Supreme Court Petition:** Sps. Garcia filed a Petition for Review on Certiorari under Rule 45 of the Rules of Court.

Issues:

1. Applicability of the doctrine of the law of the case from the previous CA decision.
2. Acquisition of an easement of light and view between the properties owned by Sps. Garcia and Sps. Santos.

Court's Decision:

I. Doctrine of the Law of the Case:

- The Supreme Court ruled that the doctrine was inapplicable since the CA's previous

decision denying the demurrer to evidence did not constitute a final decision on the merits of the case. The discussions on easement were obiter dicta, not a binding judgment on the substantive issues.

****II. Easement of Light and View:****

- Analyzing under Article 624 of the Civil Code, the Court recognized the existence of an easement. The properties were once owned by the same owner, creating the opening in the dominant estate (Lot 2) that serves as an apparent, visible sign of easement.
- The stipulation was not altered upon the subsequent transfer of ownership, affirming the easement of light and view.
- The construction on Lot 1 obstructed this easement, violating the three-meter distance rule per Articles 670 and 673 of the Civil Code, necessitating compliance by the Sps. Santos.

****Final Decision:****

- ****Reversed and Set Aside:**** RTC and CA decisions were reversed. The Supreme Court declared the existence of an easement of light and view in favor of the Sps. Garcia.
- ****Order of Removal:**** The respondents, Sps. Santos, were ordered to remove any portion of their structure that fails to comply with the three-meter rule stipulated in Article 673 of the Civil Code.

Doctrine:

- ****Easement of Light and View (Article 624, Civil Code):**** Established when properties, originally under a single owner, have visible signs such as windows or apertures on a dominant estate, which become an easement upon ownership transfer unless explicitly stated otherwise in the title deed.
- ****Three-Meter Distance Rule (Article 673, Civil Code):**** In cases where an easement of light and view is acquired by title, a three-meter distance must be maintained between any new construction on the servient estate and the property line.

Class Notes:

- ****Key Elements:****
 1. ****Easement of Light and View (Civil Code Articles):****
 - ****Article 624:**** Legal presumption of easement with apparent sign.
 - ****Article 670:**** Regular openings require a two-meter distance.
 - ****Article 673:**** Easements acquired by title need a three-meter boundary distance.
 2. ****Doctrine of the Law of the Case:**** Only applies when previous decisions on merits exist.
 3. ****Negative vs. Positive Easements:**** Differentiation impacts acquisition

methods—prescription vs. title.

- **Statutory Provisions:**
- **Article 613:** Definition of easement.
- **Article 668 & 670:** Distance rules for openings providing light, view.
- **Article 673:** Special rule for distance when an easement of view exists.

Historical Background:

- **Context:** The case highlights the intricacies of property law in the Philippines, demonstrating the balance of ownership rights and the maintenance of property easements. It reinforces the importance of clear legal provisions to prevent disputes arising from property improvements that could infringe on established easements.