

**\*\*Title:\*\*** Republic of the Philippines v. Honorable Court of Appeals, et al.

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

1. On February 8, 1955, Miguel Marcelo filed an application for the registration of two parcels of land covering 116.8441 hectares located in Sitio Calulod, Barrio Pauwa, Masbate, Masbate.
2. Oppositions to the application were submitted by the Government through the Director of Forestry and private parties.
3. The Director of Forestry based its opposition on the claim that 22 hectares of the land were part of Timberland Block F, certified as forestland on December 22, 1924.
4. Evidence presented by Marcelo indicated that Jose Zurbito and his wife, Soledad, began acquiring and planting on the land in 1909.
5. After Jose Zurbito's death, his heirs inherited the land.
6. Soledad Zurbito sold her rights to Marcelo in April 1943 and executed another deed in 1944 with a right to repurchase, which was never exercised.
7. Marcelo consolidated ownership in 1954 after the repurchase period lapsed, and he paid delinquent taxes while allowing Soledad to manage the property.

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

1. The Court of First Instance of Masbate ruled in favor of Marcelo, confirming the registration of the land.
2. The Director of Forestry and Heirs of Jose Zurbito appealed to the Court of Appeals.
3. The Court of Appeals modified the decision, declaring Marcelo and the private respondents as co-owners.
4. The Director of Forestry filed a motion for reconsideration, which was denied.
5. The case was brought to the Supreme Court via a petition for review.

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

1. Whether the 22 hectares of land are classified as disposable agricultural land suitable for registration.
2. The applicability of Section 1820 of the Revised Administrative Code regarding the classification of mangrove swamps as forestland.

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

1. The Supreme Court found no authentic document proving the land's classification as forestland by the Director of Forestry.
2. The area's use for coconut farming and its condition contradicted claims of it being non-

agricultural forestland.

3. Section 1820 of the Revised Administrative Code does not automatically classify lands with nipa and mangrove as forest lands.

4. The court ruled the private possession of the land since 1909 superior to the later classification as forestland.

5. The land's prior classification as forestland did not affect its current agricultural status as it was under private possession before the government's classification.

6. The agreement between a private respondent and the Bureau of Fisheries does not affect the registration.

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

1. For land classification disputes, the government must present clear proof that lands are primarily non-agricultural.

2. Priority of private possession prior to government forest reservation should be recognized and respected.

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

- Key concepts include the doctrine of prior private possession and the requirements of proof for land classification as forestal.

- Statutory reference: Section 1820 of the Revised Administrative Code, requiring proof beyond general classification for forestland versus agricultural land.

- Emphasis on judicial deference to expert testimony yet requiring satisfactory evidence.

**\*\*Historical Background:\*\***

- This decision reflects the prevalent issues in post-colonial land registration in the Philippines, balancing forest conservation with land ownership rights created under colonial rules.

- Illustrates challenges in land classification and registration system over the evolving legislative frameworks from colonial to post-independence Philippines.