

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

Rudolf Lietz Holdings, Inc. vs. The Registry of Deeds of Parañaque City, G.R. No. 136588, July 20, 2000

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

1. **\*\*Name Change and Amendment of Articles:\*\***

- Petitioner, originally named Rudolf Lietz, Incorporated, changed its corporate name to Rudolf Lietz Holdings, Inc. on July 15, 1996.
- The Securities and Exchange Commission approved the amended Articles of Incorporation on February 20, 1997.

2. **\*\*Petition for Title Amendments:\*\***

- On November 20, 1997, Rudolf Lietz Holdings, Inc. filed a petition with the Regional Trial Court of Parañaque City (LRC Case No. 97-0170) to amend the transfer certificates of title still registered under its former name.
- The titles in question (TCT Nos. 99446, 99447, 99448, 102486, 102487, 102488, and 102489) were erroneously believed to be under the jurisdiction of the Registry of Deeds of Pasay City, and the petition indicated that the properties were located in Pasay City.

3. **\*\*Discovery and Rectification:\*\***

- Petitioner discovered that the titles were actually under the Registry of Deeds of Parañaque City and the properties were located in Parañaque City.
- On February 16, 1998, the petitioner filed an Ex-Parte Motion to Admit Amended Petition to correct the respondent to the Registry of Deeds of Parañaque City and reflect the correct property locations.

4. **\*\*Dismissal and Subsequent Motions:\*\***

- On January 30, 1998, the trial court dismissed the original petition motu proprio due to improper venue, based on the initial incorrect information that the properties were in Pasay City.
- Before receiving the order of dismissal, petitioner filed a Motion for Reconsideration and on February 20, 1998, the trial court also denied the Ex-Parte Motion to Admit Amended Petition.
- The Motion for Reconsideration was denied on March 30, 1998.

5. **\*\*Supreme Court Petition:\*\***

- Petitioner raised the issue before the Supreme Court, challenging the trial court's decision to dismiss the petition motu proprio.

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

1. **\*\*Whether the trial court can motu proprio dismiss a complaint on the ground of improper venue.**
2. **\*\*Whether petitioner had the right to amend its petition to correct the venue and respondent errors after the motu proprio dismissal by the trial court.**

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

**\* \*\*Motu Proprio Dismissal of the Complaint:\*\***

- The Supreme Court ruled that the trial court erred in dismissing the petition sua sponte for improper venue. Venue is procedural, concerning the convenience of the parties, and not jurisdictional. It can be waived if not timely objected to by the defendant.
- The proper procedure would involve waiting for a motion to dismiss or responsive pleading from the respondent asserting improper venue.

**\* \*\*Right to Amend the Petition:\*\***

- The Court affirmed that the petitioner had a right to amend its petition as it did so before a responsive pleading had been served.
- The amendment was justified to reflect the accurate custodian of the titles and the correct location of the properties, ensuring the venue was proper.

**\* \*\*Amendment Principles:\*\***

- The Court emphasized liberal application regarding amendments to pleadings to present the actual merits of the case fully, expedite proceedings, and avoid unnecessary technicalities.

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

**\* \*\*Distinction Between Venue and Jurisdiction:\*\***

- Venue pertains to the geographical location where the case is heard and can be subject to waiver.
- Jurisdiction is conferred by law and cannot be waived or conferred by parties' consent.

**\* \*\*Right to Amend Before Responsive Pleading:\*\***

- As per Rule 10, Section 2 of the 1997 Rules of Civil Procedure, a party may amend a

pleading without leave of court before a responsive pleading is served.

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

- **\*\*Jurisdiction vs. Venue:\*\***
- Jurisdiction: Conferred by law, non-waivable.
- Venue: Procedural, can be waived, concerned with location convenience.
  
- **\*\*Amendment as a Matter of Right:\*\***
- Rule 10, Section 2: Amendments allowed before responsive pleading without leave.
- Liberal approach to amendments for justice and efficiency.
  
- **\*\*Real Actions Venue:\*\***
- Must be filed in the court where the property is located (Rule 4, Section 1).
  
- **\*\*Relevant Statutes:\*\***
- **\*\*Section 2 of Presidential Decree No. 1529 (Property Registration Decree):\*\*** Exclusive jurisdiction of RTC over land registration matters.
- **\*\*Section 108 of P.D. 1529:\*\*** Process for amendment and alteration of certificates of title.

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

The case arises from the legal framework governing land registration in the Philippines under the Torrens system. It underscores procedural aspects regarding the amendment of certificates of title and the distinction akin to venue vis-a-vis jurisdiction. The doctrines clarified by the Supreme Court in this case reflect its stance on procedural fairness and adherence to statutory norms, helping streamline judicial processes while ensuring due process.