

Title: Republic of the Philippines v. Pablo Feliciano and Intermediate Appellate Court

Facts:

1. **Initial Purchase and Possession (1952-1954):**

- Pablo Feliciano bought a parcel of land comprising four lots (total area: 1,364.4177 hectares) from Victor Gardiola through a Contract of Sale in 1952 which was confirmed by a Deed of Absolute Sale in 1954.
- Feliciano claimed to have taken possession of the land, introduced improvements, and had it surveyed, which was approved by the Director of Lands.

2. **Issuance of Proclamation No. 90 (1954):**

- President Ramon Magsaysay issued Proclamation No. 90, reserving land in the Municipalities of Tinambac and Siruma, Camarines Sur, for settlement purposes under the National Resettlement and Rehabilitation Administration (NARRA).

3. **Land Dispute and Initial Court Proceedings (1970-1971):**

- Feliciano filed a complaint for recovery of ownership and possession of the land on January 22, 1970.
- The Court of First Instance (CFI) ruled in favor of Feliciano in August 1970, recognizing Lot No. 1 (701.9064 hectares) as Feliciano's property but reverted Lots 2, 3, and 4 to public domain.
- Eighty-six settlers intervened, alleging long-term possession that predated the purchase by Feliciano. This led to a reconsideration and reopening of the case in January 1971.
- The intervenors failed to appear for their hearing, resulting in Feliciano again being favored by a decision in August 1971.

4. **Procedural Complications and Appeals (1971-1985):**

- The lower court reopened the case again in December 1971 to allow the intervenors another chance to present their evidence.
- Feliciano's subsequent petition for certiorari to the Intermediate Appellate Court and the Supreme Court was unsuccessful.
- Eventually, on August 21, 1980, the CFI dismissed the case on grounds of non-suability of the state, which Feliciano contested but the Solicitor General supported.
- The Intermediate Appellate Court reversed the dismissal in April 1985, prompting the Republic to seek this review.

Issues:

1. **Non-Suability of the State:**

- Whether the Republic of the Philippines can be sued for recovery of ownership and possession of a parcel of land without its consent.

2. **Validity of Possessory Information:**

- The legitimacy and sufficiency of the “informacion posesoria” relied upon by Feliciano to claim ownership of the disputed land.

3. **Immunity Waiver Contention:**

- Whether Proclamation No. 90 impliedly waived the state’s immunity from suit by stating “subject to private rights, if any there be.”

Court’s Decision:

1. **Non-Suability of the State:**

- The Supreme Court held that the doctrine of non-suability of the state applies. The action is characterized as an in personam action, directly seeking to litigate against the Republic and bind it by the judgment.

- The complaint against the Republic did not demonstrate any statutory consent to be sued, thereby making it dismissible on this ground.

2. **Validity of Possessory Information:**

- The Court acknowledged that the “informacion posesoria” remained prima facie evidence of possession and was never converted into a record of ownership. Moreover, the authenticity of the possessory information was highly questionable as it was a reconstituted document without sufficient proof of its original validity.

- The properties exceeding the area stated in the possessory documentation further rendered its legitimacy dubious.

3. **Immunity Waiver Contention:**

- The Court rejected the argument that Proclamation No. 90 implied a waiver of state immunity. The exclusion of private rights from the reservation did not establish an expressed or implied consent for the state to be sued, nor could such a waiver be derived from a non-legislative act.

Doctrine:

- **Non-Suability of the State:**

- Consent to be sued must be expressly given by statutory authority and cannot be inferred from non-legislative actions or statements. Waiver of immunity must be strictly construed.

****Class Notes:****

- ****Non-Suability of the State:****

- A suit against the state is not permissible unless an explicit waiver of immunity is provided by law.

- Even a case construed as depriving the state of property inherently amounts to an impermissible suit against the state unless there's consent.

- ****Possessory Information:****

- Under Spanish law, possessory information could lead to a record of ownership after a statutory period and fulfilling certain requirements. Failure to convert possessory information into a record of ownership limits its legal standing in later disputes.

****Historical Background:****

- ****Land Registration in the Philippines:****

- The Spanish Mortgage Law and American land registration systems differed significantly. The former provided mechanisms like "informacion posesoria," which required conversion into permanent titles post certain conditions. The transition to a more formalized Torrens system aimed to streamline land registration and ownership verification. This case highlights the complexities arising from historical land documentation practices versus modern registration requirements.