

**\*\*Title\*\***

Heirs of Spouses Anselmo Binay and Sevilla Manalo vs. Bienvenido Banaag, et al. (G.R. No. —)

**\*\*Facts\*\***

1. **\*\*Background and Initial Allegations\*\***

- The case began with a complaint filed by the petitioners, heirs of Anselmo Binay and Sevilla Manalo, against respondents Bienvenido Banaag, Marcelino Banaag, Nemesio Banaag, and Leoncio Banaag, for forcible entry.
- The petitioners claimed ownership of a 25,334 square meter parcel of land located at Barangay Balatero, Puerto Galera, Oriental Mindoro, evidenced by Original Certificate of Title (OCT) No. P-3303, issued on January 8, 1984. They asserted possession since 1945 and payment of property taxes.

2. **\*\*Confrontation and Filing of Complaint\*\***

- On August 22, 2005, the respondents allegedly used force, threats, and intimidation to prevent the petitioners' son, Efren Binay, from collecting ripe fruits on the property.
- By October 2005, they had fenced the property.
- The petitioners filed an action for forcible entry on November 18, 2005, alleging deprivation of lawful possession.

3. **\*\*Respondents' Defense\*\***

- Respondents claimed membership in the Iraya-Mangyans Tribe, arguing ancestral possession of the land.
- They referred to a cadastral survey claimant listing in 1978, part of the ancestral domain under CADT No. R04-PUE-0404-023.

4. **\*\*Municipal Court Ruling\*\***

- On March 25, 2008, the MCTC ruled in favor of the petitioners, recognizing their lawful ownership and possession via the Torrens title. The court ordered the respondents to vacate and pay damages and costs.

5. **\*\*Appeals and Subsequent Decisions\*\***

- Respondents' appeal led to a Regional Trial Court (RTC) affirmation of the MCTC's decision on October 27, 2008.
- Displeased, the respondents filed a petition for review with the Court of Appeals (CA).

#### 6. **CA Ruling**

- On July 23, 2015, the CA reversed the decisions of the lower courts, holding that the petitioners failed to prove their physical possession from 1945-2005.
- The CA emphasized reliance on witnesses' statements favoring respondents' long-term possession.

#### 7. **Supreme Court Petition**

- Petitioners appealed to the Supreme Court, arguing for recognition of their title and prior possession assertions, using official government documents substantiating their claims.

#### **Issues**

1. Whether the petitioners proved prior material or physical possession of the property pertinent to the forcible entry claim.
2. The weight and consideration of evidence presented, specifically the title (OCT No. P-3303), tax declaration versus respondents' Sinumpaang Salaysay.
3. The appropriate judicial interpretation regarding forcible entry and the precedence of Torrens titles in related possession disputes.

#### **Court's Decision**

##### 1. **Forcible Entry Suit Merits**

- The Supreme Court ruled in favor of the petitioners, underscoring that possession can also be based on juridical acts.
- The Court highlighted the importance of Torrens title and tax declarations as indicators of ownership and possession.

##### 2. **Assessment of Evidence**

- Petitioners' title and payment of taxes, alongside free patent documentation, were found more compelling than the respondents' affidavits, which were perceived as partial.

- The issuance of the free patent and title was deemed indicative of possession since 1984, corroborated by prior acts from 1945.

### 3. **Legal Precedence**

- The Court emphasized the legal doctrine supporting possession linked to title issuance and the significance of tax declarations in establishing claims of possession.

### 4. **Provisional Ownership Considerations**

- The judgment reiterated that the adjudication primarily dealt with possession rights, not permanent ownership, and after this ruling, further legal actions on ownership could be pursued.

### **Doctrine**

- **Juridical Acts in Possession:** The doctrine stipulates that possession isn't restricted to physical presence; it can include acts like title registration or tax declaration under formal legal grounds.

- **Possession Derived from Title:** A Torrens title inherently comes with a presumption of ownership, which supports claims over physical and material possession, with public instruments lending force as acts achieving possession.

### **Class Notes**

- **Forcible Entry vs. Unlawful Detainer:** Distinguish initial wrongful entry (forcible entry) from wrongful holding (unlawful detainer), necessitating possession proof—elemental here.

- **Juridical and Physical Possession:** Understand “possession” under tourist law: documents and registrations can supersede physical occupancy in legal context.

- **Torrens System:** Recognize its pivotal role in safeguarding and evidencing land ownership and consequent possession.

### **Historical Background**

- Highlight the longstanding legal fixture of the Torrens System in the Philippines for assuring land ownership clarity and its protective measure against illegal possession entries or claims, a historical echo seen here as disputes challenge established ownership rights going back decades.