

**\*\*Title:\*\*** Tandog, et al. vs. Macapagal, et al., G.R. No. 140661

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

The land in question, covering 147,991 square meters, is located in Sitio Inarawan, Barangay Inuman, San Isidro, Antipolo City. The petitioners, Efren Tandog and others, claim that they and their predecessors-in-interest have been in continuous, open, and notorious possession of the land, dating back to Casimiro Policarpio, who died in 1945.

When the petitioners sought judicial registration of the property, they discovered that part of it was occupied by the respondents: spouses Alfonso and Marina Calderon and Renato Macapagal. The Calderons held 20,116 square meters, allegedly using falsified documents, while Macapagal possessed 18,787 square meters under Free Patent No. 045802-1165 and Original Certificate of Title (OCT) No. P-665.

In response, the petitioners filed a complaint for quieting of title in the Regional Trial Court (RTC), Branch 73, Antipolo City (Civil Case No. 92-2418). Meanwhile, the petitioners and Macapagal reached a compromise, recognizing Macapagal's ownership of his portion of the land, which the RTC approved.

The trial court dismissed the petitioners' complaint after the Calderons filed a demurrer to evidence, asserting that the petitioners failed to substantiate their claims with admissible evidence.

Upon appeal, the Court of Appeals (CA-G.R. CV No. 57812) upheld the RTC's decision on July 31, 2000, stating that the petitioners did not present adequate evidence to support their claim under Article 476 of the Civil Code.

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

1. Whether the respondents' possession and claims over the disputed land constituted a cloud on the petitioners' title that warranted an action for quieting of title.
2. Whether the documentary evidence presented by the petitioners was sufficient to establish their claim to the land.
3. Whether the petitioners' testimonies about their predecessor-in-interest could be considered valid under the rules of evidence.

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

1. **\*\*Cloud on Title:\*\*** The Supreme Court concluded that the petitioners failed to demonstrate a valid basis for an action to remove a cloud on their title. As stipulated by

Article 476 of the Civil Code, the existence of a cloud on title requires an instrument, record, claim, encumbrance, or proceeding that is apparently valid but invalid in reality. The Court concurred that verbal assertions or personal claims without tangible and formal evidence could not establish a cloud on title.

2. **Sufficiency of Documentary Evidence:** The Court emphasized the necessity of formally offering marked documents as evidence to be considered by the Court. The petitioners' failure to formally offer their marked exhibits (a Deed of Absolute Sale and a Special Power of Attorney), combined with primarily presenting hearsay testimonies, resulted in the Court finding these documents inadmissible, thereby affecting their evidentiary value.

3. **Testimonies and Pedigree:** The Court found the petitioners' testimonies regarding Casimiro Policarpio's existence and heritage unconvincing. For declarations about pedigree to be admissible, specific prerequisites under the Rules of Evidence must be met, such as the declarant being dead or unable to testify, the declarant being related by blood or marriage, and the declaration made before the controversy arose. The petitioners failed to substantiate these requirements.

The Supreme Court denied the petition, affirming the Court of Appeals' decision that dismissed the complaint.

**Doctrine:**

- **Quieting of Title:** To succeed in an action for quieting of title, the claimant must substantiate their legal or equitable title to the property and show that the cloud is created by an apparently valid but in fact invalid instrument or claim.
- **Evidence Admissibility:** Documents marked as exhibits must be formally offered in evidence to be given any probative value. Hearsay testimonies do not suffice in proving claims regarding pedigree under the Revised Rules of Evidence.

**Class Notes:**

- **Key Elements for Quieting of Title:**
  1. Legal or equitable title to the property must be clearly established.
  2. The cloud must stem from an instrument, record, claim, encumbrance, or proceeding that is valid but void or unenforceable in actuality.
  3. Formal presentation and offering of evidence are crucial for it to be considered by the Court.
- **Relevant Statutes:**

- **Civil Code, Article 476:** Relates to the grounds for an action of quieting of title.
- **Rules of Court, Rule 132, Section 34:** Stipulates the necessity of formally offering evidence to be considered by the Court.
- **Rules of Evidence, Section 39:** Discusses the admissibility criteria for declarations about pedigree.
  
- **Application:** The case underscores the critical importance of formally offering evidence, properly tracing legal claims, and ensuring that declarations about family lineage meet specific legal standards.

**Historical Background:**

- This case emphasizes the enduring principles of property law and illustrates the legal requirements for actions to quiet title in Philippine jurisprudence. It provides insight into how courts evaluate evidence and enforce procedural rules, maintaining the integrity of the judicial process in the handling of property disputes.