

J.M. TUASON & CO., INC. PETITIONER, VS. HON. JUDGE PEDRO NAVARRO, PRESIDING JUDGE OF THE COURT OF FIRST INSTANCE OF RIZAL, BRANCH I, ET AL., RESPONDENTS.

G.R. Nos. L-24627-28-29. March 14, 1979

Ponente: ABAD SANTOS, J.

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ABAD SANTOS, J.:

In the petition for certiorari filed by J.M. Tuason Co., Inc. seeking to annul all the proceedings in Civil Cases Nos. 3621, 3622 and 3623 of the Court of First Instance of Rizal, Branch I, and all orders issued thereunder including the decision, dated January 18, 1965, and the order, dated June 4, 1965, granting the immediate execution of the decision pending appeal as well as the writ of execution issued on June 5, 1965, and, to declare that Decree No. 17431 issued in G.L.R.O. Proceedings No. 7681 is final, conclusive and indefeasible, it appears that appeals from the same decision dated January 18, 1965, in the civil cases above-mentioned were also filed by the J. M. Tuason Co., Inc. and docketed in this Court as G.R. Nos. L-26127, L-26128 and L-26129; and it appearing further, that a decision thereon was already promulgated on June 28, 1974, setting aside the appealed decision of the respondent judge in view of the findings, and the previous rulings in other cases, that the parcels of land covered by Original Certificate of Title No. 735 issued as a result of Decree No. 17431 in G.L.R.O. Proceedings No. 7681 are properly registered under the Torrens System and that the title thereto of petitioner is conclusive and in-defeasible. The issues raised in this petition having become moot and academic, it is hereby dismissed. No costs.

SO ORDERED.

Fernando, (Chairman), Barredo, Antonio, Concepcion, Jr., and Santos, JJ., concur.

Aquino, J., concur. The appealed cases mentioned in Justice Abad Santos' opinion are Benin vs. Tuason, L-26127, Alcantara vs. Tuason, L-26128 and Pili vs. Tuason, L-26129, 57 SCRA 531. The ruling in those cases was reiterated in J. M. Tuason & Co., Inc. vs. Mariano, L-33140, October 23, 1978.

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CONCURRING OPINION

AQUINO, J.:

I concur. The appealed cases mentioned in Justice Abad Santos' opinion are Benin vs. Tuason, L-26127, Alcantara vs. Tuason, L-26128 and Pili vs. Tuason, L-26129, 57 SCRA 531. The ruling in those cases was reiterated in J. M. Tuason & Co., Inc. vs. Mariano, L-33140, October 23, 1978.

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