

ANDRES M. CRUZ, REPRESENTED BY REYNALDO M. CRUZ, PETITIONER, VS. TEODULO V. GARCIA, RESPONDENT.

Ponente: GAERLAN, S.H., J.

Read online (full-text search, related cases, audio case brief): <https://batas.org/library/3b293ae5ee12/>

GAERLAN, S.H., J.:

This petition[1] for review under Rule 43 of the Rules of Court seeks to reverse and set aside the Decision[2] dated 10 September 2012 as well as the Resolution[3] dated 14 February 2013, rendered by the Department of Agrarian Reform Adjudication Board (“DARAB” for brevity) in DARAB Case No. 17354. The assailed Decision declared respondent as the legitimate successor-allocatee of the subject property and ordered petitioner to vacate and surrender physical possession of the same to the former. On the other hand, the questioned Resolution denied petitioner's motion for reconsideration of the said Decision.

FACTS

The property involved in the instant case is a 1.1409 hectare parcel of land, situated at Barangay Talampas, Bustos, Bulacan and presently covered by Transfer Certificate of Title (TCT) No. T-2431-EP[4] under the name of herein respondent, Teodulo V. Garcia.

The subject property was previously covered by Certificate of Land Transfer (CLT) No. 0-082895 issued to respondent's father, Pio Garcia, as a farmer-beneficiary under Presidential Decree No. 27.

On 7 June 1999, respondent, in his capacity as one of the heirs of Pio Garcia, lodged a letter-protest[5] before the Department of Agrarian Reform (DAR) Region III and requested for the recovery of the said property, which was then in the possession of herein petitioner, Andres M. Cruz.

In an Order[6] dated 7 September 1999, the Regional Director ordered for the issuance of Emancipation Patent in favor of the heirs of Pio Garcia, as represented by respondent, and likewise ordered petitioner to refrain from doing any act which would disturb the peaceful possession and occupation of the premises by the heirs.

Petitioner moved for reconsideration[7] of the said Order but the same was denied.[8] Thus, he filed an appeal[9] before the Office of the DAR Secretary. On 15 June 2006, the DAR Secretary issued an Order,[10] the dispositive portion of which reads:

“WHEREFORE, premises considered, Order is hereby issued:

- UPHOLDING the Certificate of Land Transfer No. 0-082895 issued to Pio Garcia;
- GRANTING the Application for Retention of the heirs of Exaltacion Garcia over five (5) hectares of the land covered by Original Certificates of Title Nos. P-5402, P-5704, P-5705, P-5706 and P-5740, which retention area shall not include the one hectare portion covered by Certificate of Land Transfer No. 0-082895 issued to Pio Garcia; and
- DIRECTING the Regional Director, Provincial Agrarian Reform Officer, and Municipal Agrarian Reform Officer concerned to determine the proper successor to Certificate of Land Transfer No. 0-082895 issued to Pio Garcia in accordance with Memorandum Circular No. 19, Series of 1978.

SO ORDERED.”[11]

As petitioner's motion for reconsideration came to naught and there being no further appeal to the Office of the President or to the Court of Appeals, the above-mentioned Order became final and executory, certified through an Order of Finality[12] dated 7 March 2007.

As a result thereof, respondent was able to have TCT No. T-2431-EP, covered by Emancipation Patent No. 00790860, issued in his name and registered in the Registry of Deeds of Bulacan.

Allegedly, efforts were made by respondent to recover possession of the subject property from petitioner but the latter refused to heed his request to vacate the same, despite the issuance of emancipation patent and title in his name. Consequently, respondent filed a complaint[13] for ejectment before the Office of the Provincial Adjudicator of Bulacan.

In his Answer,[14] petitioner claimed that he is the lawful owner of the subject property as it had been sold to him by Pio Garcia, for the consideration of P22,000.00. The property was formerly owned by Exaltacion Garcia. It was in 1976 when a “Kasunduan Buwisan Sa Sakahan”[15] was executed between him and Exaltacion Garcia, covering the property in question. However, it failed to reflect the correct description of the property, thus, another “Kasunduan Buwisan Sa Sakahan”[16] was executed between petitioner and Patria G. Aranas, an heir of Exaltacion Garcia. Notwithstanding the sale and the “Kasunduan,” a CLT was still issued in favor of the deceased Pio Garcia.

Meanwhile, petitioner filed a petition[17] for the cancellation of TCT No. T-2431-EP.

On 17 May 2011, the Regional Adjudicator found petitioner to be the real tenant of the subject property and ruled that unless and until the pending cancellation of emancipation patent is finally settled, tenant security must be guaranteed. Accordingly, the complaint for ejectment was dismissed for lack of merit.[18]

Respondent sought reconsideration[19] of the aforesaid ruling. Upon review, no new matters were said to have been raised which would warrant modification or reversal thereof.[20] Hence, respondent filed a Notice of Appeal.[21]

On 10 September 2012, the DARAB rendered the assailed Decision,[22] the dispositive portion of which reads:

“WHEREFORE, the appeal is GRANTED and the assailed Decision dated May 17, 2011, is hereby REVERSED and SET ASIDE. A NEW JUDGMENT is rendered, as follows:

- DECLARING petitioner-appellant the legitimate successor-allocatee of the subject land and therefore is entitled to full possession and cultivation thereof;
- ORDERING the respondent-appellee to immediately vacate and surrender the physical possession of the subject land in favor of the petitioner-appellant.
- ORDERING the respondent-appellee to pay reasonable rent to the petitioner-appellant for the use of the land from the filing of this case in 2009 until he vacates [sic.] and surrender the same to the petitioner-appellant;
- DIRECTING the MARO of Bustos, Bulacan to assist in the determination of the reasonable rent for the use of the land by respondent-appellee.

No pronouncement as to cost.

SO ORDERED.”[23]

This time, petitioner moved for the reconsideration[24] of the Decision rendered by DARAB but the latter stood

firm with its earlier pronouncement and denied petitioner's motion.[25]

Feeling aggrieved, petitioner elevated the matter before this Court via the instant petition, assigning the following grounds as errors:

ISSUES

I

THE HONORABLE DARAB COMMITTED REVERSIBLE ERROR AMOUNTING TO LACK OR IN EXCESS OF JURISDICTION IN ALLOCATING THE SUBJECT LAND AND DECLARING HEREIN RESPONDENT TEODULO GARCIA AS FARMER-BENEFICIARY SANS ANY DOCUMENT SHOWING THAT THE NECESSARY LAND TRANSFER ACTION HAD BEEN UNDERTAKEN PURSUANT TO MINISTRY MEMORANDUM CIRCULAR NO. 19, SERIES OF 1978; and

II

THE HONORABLE DARAB COMMITTED REVERSIBLE ERROR WHEN IT MADE A CONCLUSION THAT THE ACTUAL AREA OF CULTIVATION OF ANDRES CRUZ IS JUST .5 HECTARE THAT IS SEPARATE AND DISTINCT FROM THE LAND IN QUESTION THAT WARRANTS HIS DISPOSSESSION THEREON.

OUR RULING

As a preliminary matter, the DARAB has exclusive appellate jurisdiction to review, reverse, modify, alter, or affirm resolutions, orders, and decisions of its adjudicators.[26]

Under Section 1, Rule II of the 2003 DARAB Rules of Procedure (the governing rules at the time respondent filed his complaint), the adjudicator has primary and exclusive original jurisdiction to determine and adjudicate, among others, “cases involving the determination of title to agricultural lands where this issue is raised in an agrarian dispute by any of the parties or a third person in connection with the possession thereof for the purpose of preserving the tenure of the agricultural lessee or actual tenant-farmer or farmer-beneficiaries and effecting the ouster of the interloper or intruder in one and the same proceeding.”

Thus, the instant case falls within the jurisdiction of DARAB. Contrary to what petitioner impresses upon Us, this is not a case involving the classification and identification of landholdings for coverage under the agrarian reform program nor is it one concerning the identification, qualification or disqualification of potential farmer-beneficiaries, which lie within the jurisdictional prerogative of the Office of the DAR Secretary.

It must be noted that the subject property had already been identified as part of the Operation Land Transfer under Presidential Decree No. 27 and its farmer-beneficiary adjudged, with finality, by the Office of the DAR Secretary in its Order[27] dated 15 June 2006.

In the aforesaid Order, the Certificate of Land Transfer (CLT) No. 0-082895 issued to respondent's father, Pio Garcia, was upheld. As holder of such, he was deemed the owner of the subject property,[28] with right to possess and enjoy it for himself. However, taking into consideration his death, the proper successor to the property needs to be determined.

Petitioner alleges that the DARAB committed an error in declaring respondent as the successor-allocattee of the subject property sans any document showing that there was necessary land transfer action undertaken pursuant to Ministry Memorandum Circular No. 19, Series of 1978.

It is a basic rule of evidence that he who alleges something must prove the same.[29] While the records are bereft of any evidence showing compliance with the procedure for the determination of the successor to the subject

property, as laid down in the said Memorandum Circular, TCT No. T-2431-EP enjoys the legal presumption of regularity of issuance.[30] It was, therefore, incumbent for petitioner to prove otherwise. More than a bare allegation is required to defeat the face value of respondent's title.[31]

Petitioner accuses respondent of fraud for having registered the subject property in her name. Petitioner's attempt to remain in possession by casting a cloud on respondent's title cannot prosper. It bears stressing that a Torrens title cannot be collaterally attacked, to which an ejectment proceeding, is not an exception.[32] The only issue for resolution in ejectment suits is the physical or material possession of the property involved, independent of any claim of ownership by any of the party litigants.[33] Hence, it is outside the jurisdiction and competence of the DARAB, in the instant case, to ascertain whether fraud attended the issuance of TCT No. T-2431-EP.

Also, petitioner asserts that his possession stemmed from a sale transaction with respondent's father, who supposedly sold his tenurial rights over the subject property. As already pointed out by both the DAR Secretary and the DARAB, petitioner's claim was unsubstantiated. No evidence was proffered to validate the purported sale.

More importantly, even if there was indeed a sale, PD No. 27 proscribes the transfer of a property covered by Operation Land Transfer from a farmer-beneficiary to third persons, except through hereditary succession or to the Government. Thus, the claim of ownership by petitioner has no legal leg to stand on.

Between petitioner's alleged ownership which cannot be established and respondent's title which is presumed to have been legally procured, the latter prevails. It is a settled rule that the person who has a Torrens title over a land is entitled to possession thereof. As the registered owner of the subject property, respondent is preferred to possess it.[34]

But this is without prejudice to the outcome of the petition for cancellation of TCT No. T-2431-EP. It must be noted that the adjudication of ownership in favor of respondent in the present case is merely provisional, for the purpose of settling the issue of possession.

Lastly, petitioner asseverates that it was erroneous for the DARAB to conclude that the area of his cultivation is just .5 hectare, separate and distinct from the property in question. He insists that the "Kasunduan Buwisan sa Sakahan," executed with Exaltacion Garcia, pertaining to .5 hectare was due to mere inadvertence and was later on rectified with a similar agreement, executed with the heir of Exaltacion Garcia, referring to 1 hectare.

The DARAB adopted the findings of the DAR Secretary, contained in an Order[35] which has long become final and executory. On this ground alone, We see no reason to disturb the same. And even upon verification, these findings are duly supported by substantial evidence.

In appeals in agrarian cases, the only function of this Court is to determine whether the findings of fact of the Department of Agrarian Reform Adjudication Board (DARAB) are supported by substantial evidence – it cannot make its own findings of fact and substitute the same for the findings of the DARAB. And substantial evidence has been defined to be such relevant evidence as a reasonable mind might accept as adequate to support a conclusion and its absence is not shown by stressing that there is contrary evidence on record, direct or circumstantial; and where the findings of the agrarian court are supported by substantial evidence, such findings are conclusive and binding on the appellate court.[36]

WHEREFORE, premises considered, the instant petition is DENIED. Accordingly, the assailed Decision and Resolution are hereby AFFIRMED.

SO ORDERED.

Pizarro, N.B., Chairperson, and Galapate-Laguilles, Z.T., JJ., concur.

- [1] Rollo, pp. 3-25
- [2] Rollo, pp. 26-35
- [3] Rollo, pp. 36-40
- [4] Rollo, p. 82
- [5] Rollo, p. 210
- [6] Rollo, pp. 50-52
- [7] Rollo, pp. 211-218
- [8] Rollo, pp. 219-220
- [9] Rollo, pp. 221-264
- [10] Rollo, pp. 53-79
- [11] Rollo, pp. 78-79
- [12] Rollo, pp. 80-81
- [13] Rollo, pp. 45-49
- [14] Rollo, pp. 83-88
- [15] Rollo, p. 120
- [16] Rollo, p. 121
- [17] Rollo, pp. 89-94
- [18] Rollo, pp. 128-133
- [19] Rollo, pp. 134-138
- [20] Rollo, pp. 145-146
- [21] Rollo, p. 147
- [22] Supra, Note No. 2
- [23] Rollo, p. 64
- [24] Rollo, pp. 148-153
- [25] Supra, Note No. 3
- [26] Section 2, Rule II, 2003 DARAB Rules of Procedure
- [27] Supra, Note No. 10
- [28] Natividad vs. Mariano, G.R. No. 179643, June 3, 2013

[29] Spouses Joson vs. Mendoza, G.R. No. 144071, August 25, 2005

[30] Ocampo vs. Ocampo, G.R. No. 150707, April 14, 2004 citing Heirs of Velasquez vs. CA, 382 Phil. 438, February 15, 2000

[31] Ibid.

[32] Heirs of Maligaso, Sr. vs. Spouses Encinas, G.R. No. 182716, June 20, 2012

[33] Tecson vs. Gutierrez, G.R. No. 152978, March 4, 2005 citing Balanon-Anicete vs. Balanon, G.R. Nos. 150820-21, April 30, 2003

[34] Supra, Note No. 32

[35] Supra, Note No. 10

[36] Ngei Multi-Purpose Cooperative Inc. vs. Filipinas Palmoil Plantation Inc., G.R. No. 184950, October 11, 2012

ABOUT BATAS.ORG

Study smarter at BATAS.org

The Philippine bar review and law-school companion built around how your brain actually remembers.

The complete Philippine law library - free for everyone.

More than 100,000 Supreme Court decisions, Republic Acts, and executive issuances - full-text searchable, browsable by category and year, and always free. No paywall, no login. This PDF came from it.

Audio case-brief lectures.

Any decision becomes a podcast-style lecture - facts, issues, ruling, and doctrine - with read-along highlighting and a hands-free presentation mode. Study while commuting, working out, or resting your eyes.

Bar review built on the science of memory.

Complete, sequenced courses for all eight bar subjects, narrated like podcasts and reinforced with retrieval practice and spaced review - the study techniques with the strongest evidence behind them.

The full law-school curriculum.

One subscription unlocks the entire J.D. curriculum - every subject, every lesson, with your progress tracked down to the paragraph so you can pick up exactly where you left off, on any device.

Mock exams that tell you where you stand.

Timed multiple-choice exams graded instantly, with per-subject score breakdowns and focus suggestions that point you at your weakest topics first.

A study planner that keeps you on pace.

Set your schedule and BATAS tells you every day whether you are on track for bar day - and exactly which lesson to take next.

Start free at <https://batas.org>

The law library is free forever - and your first lesson is one click away.

The text of this document is an official public record and remains in the public domain. Formatting, presentation, and compilation © 2026 batas.org.

Downloaded free from the batas.org Law Library. Share it freely - the library is free for every law student, bar reviewee, and practitioner.