

**PILAR REYES, PETITIONER, VS. HON. JOSE M. SANTOS, AS
ASSOCIATE JUDGE OF THE COURT OF AGRARIAN RELATIONS, STA.
CRUZ, LAGUNA, AND MAXIMINO ENRIQUEZ, RESPONDENTS.**

G.R. No. L-19961. September 14, 1966

Ponente: MAKALINTAL, J.

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MAKALINTAL, J.:

Appeal by certiorari from a decision of the Court of Agrarian Relations.

Petitioner Pilar Reyes is the owner of a parcel of land of about two hectares located in barrio Lawa, Calamba, Laguna, which was being worked by respondent Maximino Enriquez under a verbal agreement of tenancy, under which they shared both the expenses and the harvest equally. On November 18, 1960, that is, one month before the next agricultural year started, respondent notified petitioner that he was changing their relationship from share tenancy to leasehold. On December 17, 1960 petitioner informed respondent that she was opposed to the change. On May 2, 1961 she filed a petition in the Court of Agrarian Relations alleging the aforementioned facts and asking that an interlocutory order be issued for the division of the existing palay crop as follows: 50% for the tenant, 20% for the landowner, and 30% to be deposited with the municipal treasurer of Calamba, pending final determination of the controversy, concerning the constitutionality of the provision of the Agricultural Tenancy Law (Act No. 1199) giving the tenant the privilege to change the agreement from share tenancy to leasehold tenancy, which was under consideration by this Court in *Juliano v. Magtibay* (L-17627), [1] so that should the said provision be declared unconstitutional the parties would respect their original sharing agreement.

The court issued the interlocutory order prayed for and the parties subsequently stipulated on the facts set forth above.

On June 6, 1962 the court dismissed the petition for lack of merit and ruled that respondent had the right, upon proper notice, to change the prevailing tenancy system to one of leasehold tenancy.

Petitioner appealed and now raises the sole question of the validity of Section 14 of the Agricultural Tenancy Law, as amended, which states:

"The tenant shall have the right to change the tenancy contract from one of share tenancy to leasehold tenancy and vice versa and from one crop sharing arrangement to another of the share tenancy. If the share tenancy contract is in writing and is duly registered, the right to change from one crop sharing arrangement to another may be exercised at least one month before the beginning of the next agricultural year after the expiration of the period of the contract. In the absence of any registered written contract, the right may be exercised at least one month before the agricultural year when the change shall be effected."

Petitioner submits that this provision violates the Constitution because it: (1) results in deprivation of property without due process of law; (2) impairs the obligation of contracts; and (3) constitutes class legislation.

The same questions have been raised in other cases decided by this Court, and the constitutionality of the law has

been repeatedly upheld. (Ramas v. Court of Agrarian Relations, L-19555, May 29, 1964; Macasaet vs. Court of Agrarian Relations, L-19750, July 17, 1964; Uichanco vs. Gutierrez, L-20575-20579, May 31, 1965; Gamboa vs. Pallarca, L-20407, March 31, 1966; and Cuizon vs. Ortiz, L-20905, April 30, 1966.)

The decision of the lower court is therefore affirmed, with costs against appellant.

Concepcion, C.J., Reyes, J.B.L., Barrera, Dizon, Bengzon, JP, Zaldivar, Sanchez, and Ruiz Castro, JJ., concur.
Regala, J., no part.

[1] The case was decided on November 29, 1962.

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