

**JUANA REYES.VDA. DE AREJOLA, PETITIONER VS. CAMARINES SUR
REGIONAL AGRICULTURAL SCHOOL, SILVESTRE TUSCANO,
EUGENIO ABLAZA, NUMERIANO REZO AND JUDGE PASTOR REYES
OF THE COURT OF ...**

G.R. No. L-15753. December 29, 1960

Ponente: BENGZON, J.

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BENGZON, J.:

The question for decision is whether the Court Agrarian Relations has jurisdiction favorably to act on the complaint of herein respondents (except Judge Pastor Reyes) against herein petitioner.

On May 20, 1959, the former filed with the Court's Sixth Regional District, Naga City, a complaint for "illegal ejectment, with prayer for issuance of preliminary injunction" (CAR Case No. 340-Cs-58) alleging: that the Camarines Sur Regional Agricultural School was the owner and/or legal possessor of a parcel of land of about seven hectares; tilling it, Silvestre Tuscano., Eugenio Ablaza and Numeriano Rezo were tenants of said School; on May 16, 1958, Luis P. Arejola (predecessor of herein petitioner) "without the prior' knowledge and Consent of the complainants, through' force and intimidation fenced the entire area of their holding by means of barbed wire" and continually prevented them (the tenants) from planting thereon, unless they recognized him as the absolute legal owner and gave him the landholder's share; and the "tenants" were thereby left without adequate means of support. Therefore, complainants asked that Arejola be ordered to desist from molesting or interfering with their cultivation of the premises. (They also asked for preliminary injunction.)

Arejola asserted he was the lawful possessor of a parcel of land of 280 hectares, of which he had been declared the owner by the courts; and if complaining "tenants" were occupying a portion thereof, they had no right to do so. Anyway, he argued, there being no tenancy relationship between himself and complainants, the Court of Agrarian Relations had no jurisdiction over the controversy. The remedy, he maintained was an action in the ordinary courts of justice for unlawful entry.

When the case was called for hearing, counsel for Arejola made this statement:

"This representation in behalf of the respondent admits that the Agrcmltural School in this CAR Case No. 340-C.S., is landholder of the petitioner-tenants, which we dispute the ownership, and the respondent has nothing; to do with the contract of tenancy, implied or expressed between the Agricultural School and the other petitioner-tenants. We respectfully pray that judgment on the pleadings could be had in behalf of our answer and on the basis of the petition."

And insisted on the Agrarian Court's lack of jurisdiction.

As the parties apparently admitted the identity of the lot and the dispossession of the "tenants" by Arejola, the Court, invoking sec. 21 of Republic Act 1199, and sec. 16 of Republic Act 2263 which provides: "it shall be unlawful for any third party to dispossess the tenant of his holding except by order of the court," directed Arejola

to reinstate the "tenants" Tuscano, Ablaza and Rezo to their respective landholdings.

Hence this appeal by certiorari, raising the only question of jurisdiction, as already stated.

We have heretofore held, in at least two cases, that where no tenancy relationship exists between the contending parties and the situation is one merely of forcible entry, the Court of Agrarian Relations has no jurisdiction.

Thus, in *Tumbaga vs. Vasquez*, G.R. L-8719, July 17, 1956, we declared that when a mere intruder holds possession of property belonging to another, the ordinary courts do not lose jurisdiction in a forcible entry case even if he should claim (untruthfully) a tenancy relationship with the owner. In other words, where the case is really mere forcible entry, the Court of Agrarian Relations does not have jurisdiction. And in *Pabustan vs. De Guzman*, 109 Phil., 278, we ruled that when there is no tenancy relationship between the contending parties, the Agrarian Court has no jurisdiction.

The reason is not far to seek.

Under sec. 7 of Republic Act 1267 (as amended by Republic Act 1409) creating said Court, it is given jurisdiction to consider, investigate, decide and settle all questions * * * involving those relationships established by law which determine the varying rights of persons in the cultivation and use of agricultural land where one of the parties works the land.

The Court is thus empowered to act where there is a legal "relationship" between the parties fighting before it. Such relationship must necessarily be that of agricultural tenancy. And the law governing agricultural tenancy, Republic Act 1199 explains that tenancy relationship is a "juridical tie" which arises between a landholder and a tenant once they agree expressly or impliedly to undertake jointly the cultivation of land belonging to the former, etc. [Sec. 6] (See also sections 3 and 5, Republic Act 1199.)

It must be remembered that the Court was established to enforce all laws and regulations governing the relation of capital and labor on all agricultural lands. Necessarily, the law contemplated a legal relationship between landowner and tenant. This does, not exist where one is owner or possessor and the other a squatter or deforciant.

It is true that sec. 21 of Republic Act 1199 says:

"All cases involving the dispossession of a tenant by the landholder or by a third party and/or the settlement and disposition of disputes arising from the relationship of landholder and tenant, as well as the violation of any of the provisions of this Act, shall be under the original and exclusive jurisdiction of such courts as may now or hereafter be authorized by law to take cognizance of tenancy relations and 'disputes.'"

However, we perceive no compelling reason to widen the scope of sec. 7 of Republic Act 1267 (as amended) creating the Court of Agrarian Relations so as to include any legal dispute wherein one party is agricultural tenant, no matter who his opponent is. Considering the whole Act[1], the "third party" mentioned in the said sec. 21 should be construed to mean a person who is neither landholder nor tenant, but who acts for, openly, secretly, or factually for the landholder. For instance, a sheriff enforcing an execution sale against the landholder; or a purchaser or transferee of the land,[2] or a mere dummy of the landowner.

No such situation obtains here. The "tenants" have no legal relationship with Arejola. They do not claim to be his tenants. Indeed, they refused to recognize him as such. They do not aver he was acting for or in connivance with their landlord, the Agricultural School. If the Court acted favorably to the tenants' desire and was consistent, it would have to declare them as "tenants" of Arejola,— (which it did not)—with the right of the latter to get a share of the crops; thereby recognizing the right of Arejola to possession (constructive at least) of the very lot which he had allegedly fenced and entered illegally.

One further circumstance which the Court below obviously overlooked: the complainant Camarines School is not a "tenant" of Arejola, nor a "tenant" at all. Such being the case, how could the Court intervene in a dispute between the latter on the one hand and such institution on the other? And when the Court declares the tenants as tenants of Arejola, what happens to the rights of the School?

Evidently realizing at last the peculiar situation they were in, the School and the tenants have refrained from contesting Arejola's petition here. Only the respondent judge answered, opposed it and maintained his power to act in the matter.

In view of the foregoing, the certiorari petition- is granted the respondent judge having no jurisdiction, the decision is revoked and the complaint in CAR Case No. 340-Cs-58 dismissed. Without prejudice to the proper action in the ordinary courts of justice. No costs.

Paras, C.J., Padilla, Bautista Angelo, Labrador, Reyes, J.B.L., Barrera, Gutierrez David, and Paredes, JJ., concur.

Decision affirmed.

[1] "An act to govern the relations between landholder and tenants * * *." Sec. 5.—"A tenant shall mean a person who * * * cultivates the land belonging to or possessed by another with the latter's consent * * * A landholder shall mean a person * * * who lets another the use pr cultivation of his land for a consideration * * *."

[2] See sec. 9, Republic Act 1199.

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