

SPOUSES BENEDICTO C. CORRALES, SR. AND HONORATA F. CORRALES, PLAINTIFFS-APPELLANTS, VS. BENITA BONO, TONY BONO, SPOUSES BOYET GONZALES AND LUISA BONO AND SPOUSES ALEX BONO AND R...

Ponente: DE GUIA-SALVADOR, R., J.

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DE GUIA-SALVADOR, R., J.:

The essence of an action for quieting of title is at the heart of this appeal from the June 4, 2012 Decision rendered by the Regional Trial Court, Branch 80, Morong, Rizal (RTC), in Civil Case No. 1836-M,[1] the decretal portion of which states:

"WHEREFORE, premises considered, judgment is hereby rendered in favor of plaintiff and against defendant as follows:

1. Ordering the quieting of title of the plaintiffs over Lot 3374-B covered by Transfer Certificate of Title No. M-22916;
2. Declaring Transfer Certificate of Title No. M-22916 issued by the Register of Deeds of Morong, Rizal in the name of Honorata Fernando married to Benedicto C. Corrales as valid and effective;
3. Ordering defendants to pay plaintiffs the sum of P50,000.00 as and by way of attorney's fees plus costs of the suit

SO ORDERED."[2]

The Facts

There is no dispute regarding the fact that appellees Spouses Benedicto and Honorata Corrales are the owners of a 21,275 square-meter parcel of land situated at Sitio Dona Ana, Barangay Maybangcal, Morong, Rizal. Denominated as Lot No. 3374-B of the Morong Cadastre, the land had been registered in the Spouses Corrales' names under Transfer Certificate of Title No. M-22916 of the Rizal provincial registry on October 2, 1985.[3] The Bono Family which includes appellants Benita Bono, Antonio (Tony) Bono, the Spouses Boyet Gonzales and Luisa Bono and the Spouses Alex and Rose Bono are, on the other hand, the successors-in-interest of Angel Bono. In his lifetime, Angel was issued a CARP Beneficiary Certificate No. 1044959-6 on December 5, 1991, over a parcel of land in the same locality by the Department of Agrarian Reform.[4] Declared for taxation purposes in the name of St. Louis Realty Corporation under Tax Declaration No. 06-042, this latter parcel of land was, in turn, denominated as Lot No. 3376 and therein indicated as registered in said declarant's name under TCT No. 23845 of the Rizal provincial registry.[5]

On February 17, 2004, the Spouses Corrales filed against the Bono Family separate complaints for ejectment which were docketed as Civil Case Nos. 828, 829, 830 and 831 before the Municipal Trial Court (MTC) of Morong, Rizal. Claiming that the Bono Family forcibly entered and built a house of light materials on a portion of Lot No. 3374-B, the Spouses Corrales faulted the former with unjustified refusal to vacate their property.[6]

Represented by the DAR, the Bono Family filed their answers uniformly alleging that, by themselves and through Angel, they have, been cultivating a 21,275 square meter parcel of agricultural land in the locality successively owned by the Fernando Family and SLRC. When the property came under the coverage of Republic Act No. 3844, otherwise known as the Comprehensive Agrarian Reform Law of 1988 (CARL), the Bono Family asserted that Angel was issued the aforesaid CBC by the DAR and that they have been in peaceful possession and cultivation of the land since 1965 or for about thirty seven (37) years.[7] For reasons neither of the parties disclosed, however, the aforesaid ejectment complaints were subsequently resolved by the MTC in favor of the Bono Family.[8]

In the meantime, the Spouses Corrales filed against the Bono Family the November 23, 2006 complaint for quieting of title and damages from which the instant suit stemmed.[9] Utilizing the same allegations in their ejectment complaints as aforesaid, the Spouses Corrales additionally averred that, although Lot No. 3374-B and Lot No. 3376 adjoined each other, their property had neither been covered by the CARL nor ever cultivated by Angel and his family. In view of the fact that the Bono Family justified their possession of a portion of Lot No. 3374-B on the strength of CBC No. 1044959-6, the Spouses Corrales asseverated that the latter document casts a cloud of doubt over their title to said property. Alongside their being declared the rightful owners of Lot No. 3374-B and indemnified for moral damages and attorney's fees, the Spouses Corrales consequently prayed for the quieting of their title over the same property.[10] Once again represented by the DAR, the Bono Family filed their April 25, 2007 answer which, in addition to reiterating the allegations in their answer in the ejectment suits, claimed that the case presupposed an agrarian conflict and violated the rule against forum shopping.[11]

The issues thereby joined and the mandatory pre-trial conference subsequently terminated, the RTC went on to try the case on the merits. Testifying in support of the allegations in the complaint, Benedicto presented, among other documents, the tax map showing the location of the subject properties and a November 13, 2007 letter from the DAR acknowledging the fact that Lot No. 3374-B was not covered by CARP and was not awarded to Angel.[12] As the sole witness for the Bono Family, on the other hand, Antonio traced the provenance of Lot No. 3376 which had been divided into four lots and awarded in favor of his family as evidenced by TCT-CLOAs issued by the DAR. Anent Lot No. 3374-B, however, Antonio asserted that the land was owned by the Fernando Family from whom it was purchased by SLRC which, in turn failed, to complete the payments therefor. Antonio claimed that Angel and, later, his family, had been peacefully cultivating and possessing the land since 1965. Prior to Benedicto's demand to vacate after he twice visited the property in 2003, the Bono Family had reportedly been remitting the owner's 1/3 share to the Fernando Family's caretaker, Pedro San Juan.[13]

Finding that Lot No. 3374-B was not owned by the SLRC which, by Antonio's own admission, was not able to complete the payments therefor, the RTC went on to render the herein appealed June 4, 2012 Decision in favor of the Spouses Corrales. Discounting the factual and legal bases for the right of possession asserted by the Bono Family over the same lot, the RTC ruled[14] as follows:

"To further prove their colourable right over the property [the Bono Family] posited that they have been in possession of the property since 1965 or thirty-seven (37) years of possession and cultivation until the [Benito] appeared in December 2003 and ordered them to stop cultivating the same. Admittedly however, they derived authority of their possession of the subject property, upon their assumption that it is part and parcel of the property owned by [SLRC] which was later on subjected under the CARP coverage. In sum, they are now claiming that they were tenants of the [Spouses Corrales] who purportedly received their share of the harvest through their caretaker (sic).

Indubitably, other than their bare allegation that they are tenants, no other evidence was presented by [the Bono Family] to substantiate their claim that a landlord-tenant relationship exists between the parties. To recognize [the Bono Family] as tenants [o]n the land owned by [the Spouses Corrales] would mean another

opportunity for them to enjoy the benefits of the CARP coverage. This is not what the [CARP] has envisioned when it declared in its principles and policies for a more equitable distribution and ownership of the land because to allow [the Bono Family] to seize another opportunity to enjoy CARP coverage would be tantamount to unjust enrichment.

Necessarily, as the [Spouses Corrales] have successfully established their ownership over the subject property and the validity of their title vis-a-vis the lone testimony of [Antonio], who failed to controvert [the Spouses Corrales title and ownership and therefore devoid of legal significance and bestowing no title over the disputed property by acquisitive prescription, the former are entitled to their prayer for quieting of title.]"[15]

With the denial of their motion for reconsideration[16] of the foregoing decision in the RTC's August 24, 2012 Order,[17] the Bono Family perfected the instant appeal within the reglementary period.[18] The Spouses Corrales also filed a Notice of Appeal but withdrew the same and, instead, filed a motion for execution which they likewise subsequently abandoned.[19]

The Issues

The Bono Family seek the reversal of the appealed decision on the following grounds, to wit:

"1. THE HONORABLE COURT A QUO [GRIEVOUSLY] ERRED IN NOT DISMISSING THE CASE DESPITE THE FACT THAT THE CARP BENEFICIARY CERTIFICATE NO. 1044595 AND THE CORRESPONDING TCT-CLOAS ISSUED BY THE DEPARTMENT OF AGRARIAN REFORM TO [THE BONO FAMILY] REFER TO THE PROPERTY OF ST. LOUIS REALTY CORPORATION AND NOT TO THE PROPERTY OF THE [SPOUSES CORRALES'] SUBJECT OF THE CASE.

2. TH[E] HONORABLE COURT A QUO [GRIEVOUSLY] ERRED IN AWARDING ATTORNEY'S FEES AND COST OF SUIT."[20]

The Court's Ruling

The Court finds the appeal is devoid of merit.

It bears emphasizing at the outset that the action the Spouses Corrales commenced before the RTC was one for quieting of title, anchored on the supposed fact that the CBC issued in favor of the Bono Family cast a cloud on their title over Lot No. 3374-B. A common law remedy grounded on equity,[21] quieting of title essentially seeks to secure an adjudication that a claim of title to or an interest in property, adverse to that of the complainant, is invalid, so that the complainant and those claiming under him may be forever afterward free from any danger of hostile claim.[22] The remedy may be availed of under the circumstances enumerated under Article 476 of the Civil Code of the Philippines which provides as follows:

"ART. 476. Whenever there is a cloud on title to real property or any interest therein, by reason of any instrument, record, claim, encumbrance or proceeding which is apparently valid or effective but is in truth and in fact invalid, ineffective, voidable, or unenforceable, and may be prejudicial to said title, an action may be brought to remove such cloud or to quite the title.

An action may also be brought to prevent a cloud from being cast upon title to real property or any interest therein."

While he need not be in possession of the property, the plaintiff is required under Article 477[23] of the same Code to have legal or equitable title to or interest in the real property which is the subject matter of the action. Where the plaintiff is in possession of the property in litigation, however, the action is considered imprescriptible in view of the principle that one who is in actual possession of a parcel of land who is claiming to be the owner thereof may wait until his possession is actually disturbed or his title attacked by another before taking steps to vindicate his right.[24] In order that a complaint for quieting of title may prosper, the rule is settled that it is

essential that the plaintiff must establish the concurrence of the following indispensable requisites: (1) that he has a legal or an equitable title to or interest in the real property subject of the action; and (2) that the deed, claim, encumbrance or proceeding claimed to be casting cloud on his title must be shown to be in fact invalid or inoperative despite its prima facie appearance of validity or legal efficacy.[25]

Viewed in the light of the foregoing considerations, the Court finds that the RTC cannot be faulted for granting the Spouses Corrales' complaint for quieting of title. Aside from the fact that the Spouses Corrales clearly have a legal title to Lot No. 3374-B on account of their being the registered owners thereof,[26] the record shows that the Bono Family have asserted a claim of possession over the same for a period of more than 37 years as supposed tenants of the Fernando Family. Maintaining that the land in litigation came under the coverage of CARP, the Bono Family also argued that the same was purchased by SLRC from the Fernando Family and that they were issued a CBC/CLOAs by the DAR, before which the Spouses Corrales' complaint should have allegedly been filed. Rather than Lot No. 3374-B, however, the evidence on record indicates that the CBC/CLOAs the Bono Family were issued pertained to Lot No. 3376, the land declared in SLRC's name under Tax Declaration No. 06-042.[27] As no less than the DAR had, in fact, acknowledged in its November 29, 2007 letter to the Spouses Corrales, Lot No. 3374-B was not covered by CARP and was not, therefore, awarded to Angel.[28]

The Court is, to be sure, well aware of the fact that, under the maxim expression *unius est exclusion alterius*, the reason for filing a complaint for quieting of title must exclusively be on account of "an instrument, record, claim, encumbrance or proceeding" which casts a cloud over the plaintiff's title.[29] Changing their tact by capitalizing on the fact that Lot No. 3374-B was not covered by CARP and the CBC/CLOAs issued in their favor, the Bono Family now faults the RTC for granting the complaint for quieting of title despite the absence of an instrument, record, or proceeding prejudicial to the Spouses Corrales' title. While it is true that the CBC/CLOAs issued in their favor do not in any way cast a cloud of doubt over the latter's title, however, the Bono Family conveniently underplays the fact that their claim of tenancy just as effectively accomplishes the opposite. This is evident from their claim of existence of an agrarian dispute and the fact that they were represented the DAR itself before the RTC as well as the MTC.

To the mind of the Court, the Bono Family would do well to remember that an action for quieting of title is not only for the benefit of the plaintiff but also the defendant as well. In an action of said nature, after all, the court is tasked to determine the respective rights of the complainant and other claimants, "not only to place things in their proper place, to make the one who has no rights to said immovable respect and not disturb the other, but also for the benefit of both, so that he who has the right would see every cloud of doubt over the property dissipated, and he could afterwards without fear introduce the improvements he may desire, to use, and even to abuse the property as he deems best." [30] In quieting the title over Lot No. 3374-B, the RTC had, therefore, not only confirmed the validity of the Spouses Corrales' title over the same but had also, once and for all, put to rest the Bono Family's claim of agricultural tenancy and the question of the DAR's supposed jurisdiction over the case.

Although attorney's fees should, finally, be the exception rather than the rule [31] on the ground that no premium should be placed on the right to litigate, [32] the Court finds that the RTC cannot be faulted for awarding attorney's fees in favor of the Spouses Corrales who had been compelled to litigate and incur expenses for the protection of its interests. [33] Viewed in the light of the foregoing disquisition, We also find no reason to disturb Bono Family's liability for costs which the RTC was allowed to adjudicate under Section 1, Rule 142 of the Rules of Court, viz:

"Section 1. Costs ordinarily follow results of suit. – Unless otherwise provided in these rules, costs shall be allowed to the prevailing party as a matter of course, but the court shall have power, for special reasons, to adjudge that either party shall pay the costs of an action or that the same be divided, as may be equitable. No

costs shall be allowed against the Republic of the Philippines unless otherwise provided by law."

WHEREFORE, premises considered, the appeal is DENIED for lack of merit and the appealed June 4, 2012 Decision is, accordingly, AFFIRMED in toto.

SO ORDERED.

Rosario, and Dimagiba, JJ., concur.

[1] Records, pp. 379-387

[2] Id., p. 387

[3] Id., p. 6

[4] Id., p. 40

[5] Id., p. 41.

[6] Id., pp. 10-21

[7] Id., p. 23, 32, 37, 55

[8] Id., p. 34

[9] Id., pp. 2-4

[10] Id., p. 4

[11] Id., pp. 52-56

[12] Id., pp. 45 and 241

[13] id., p. 44

[14] Id., p. 386

[15] Id.

[16] Id., pp. 388-392

[17] Id., pp. 396-397

[18] Id., pp. 402-403

[19] Id., pp. 401, 405-407

[20] Rollo, p. 37

[21] PVC Investment & Management Corp. vs. Borcena, G.R. No. 155225, September 23, 2005

[22] Baricuato, Jr. vs. Court of Appeals, G.R. No. 105902, February 9, 2000

[23] Article 477. The plaintiff must have legal title to, or interest in the real property which is the subject matter of the action. He need not be in possession of said property.

[24] Maestrado vs. Court of Appeals, G.R. Nos. 133345 & 133324, March 9, 2000

[25] Calaca vs. Republic, G.R. No. 154415, July 28, 2005

[26] Supra, at Note 3

[27] Supra, at Note 5

[28] Records, p. 241

[29] Titong vs. Court of Appeals, G.R. No. 111141, March 6, 1998

[30] Baricuatro, Jr. vs. Court of Appeals, supra

[31] SCC Chemicals Corporation vs. Court of Appeals, 353 SCRA 70, 78.

[32] Orosa vs. Court of Appeals, 329 SCRA 652, 664-665.

[33] Article 2208 [2], Civil Code of the Philippines.

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