

**SPS. BENITO DE BELEN AND MAXIMINA DE BELEN,
PLAINTIFFS-APPELLANTS, VS. SPS. CRISANTO MARZO AND NORMA
DE BELEN MARZO, DEFENDANTS-APPELLEES.**

Ponente: INTING, S.B., J.

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INTING, S.B., J.:

For consideration before this Court is an Appeal[1] which assails the Decision[2] dated May 27, 2013 of the Regional Trial Court of Balayan, Batangas, Branch 10, in Civil Case No. 4537.

The Facts

Culled from the records, the facts of this case are as follows:

On August 4, 2006, spouses Benito de Belen and Maximina de Belen (appellants) filed a complaint for "Cancellation of Title No. TP No. 3030 and Assessment of Real Property No. 044-00344 and Reconveyance"[3] against spouses Crisanto Marzo and Norma de Belen Marzo (appellees) with the Regional Trial Court (RTC) of Balayan, Batangas, docketed as Civil Case No. 4537.

In their Complaint, appellants alleged that on April 21, 1982, Benito de Belen was awarded a free patent covered by Original Certificate of Title No. 473; that at first, Norma de Belen Marzo convinced her father, Benito de Belen, that she will apply for the reclassification of the property into residential lot; that without their knowledge, however, Norma Marzo had caused the subdivision of the said lot into four (4) parcels, one of which is covered by TP No. 3001; that sometime in 2005, they discovered that TP No. 3001 was cancelled by TP No. 3030 which was registered in the name of herein appellees; that the Register of Deeds of Nasugbu, Batangas issued a certification that the documents of transfer from TP No. 3001 in the name of Benito de Belen to TP No. 3030 in the name of Sps. Crisanto and Norma de Belen Marzo are not among the records available on file in their office; that they did not remember having executed any document conveying the said lot to the appellees.[4]

For their part, appellees countered that Norma de Belen Marzo had not in any manner convinced her father that she will apply for the reclassification of the property into a residential lot, nor had she any participation in the subdivision of the same into four (4) lots; that they purchased the said lot now covered by Transfer Certificate of Title (TCT) No. TP-3030 from herein appellants for valuable consideration sometime on October 13, 1999; that they had no participation whatsoever in the preparation of the Deed of Sale; that it was their agreement that their father will be the one to handle the preparation of the Deed of Sale and other documents relative to the transfer and registration of the title in the names of the appellees; that upon full payment of the agreed purchase price of the lot in question, title to the same was delivered and registered in their names; that they have been in possession of the property for a period of seven (7) years from the time they purchased it; that appellants remained silent and had not disturbed the possession and ownership of herein appellees over the said lot, nor had appellants asserted any adverse claim over the same until they filed the instant complaint on August 9, 2006; that they are purchasers in good faith and for value, thus, their title in the lot in question can no longer be voided or cancelled; that TCT No. TP-3030 has been registered in the names of the appellees since October 22, 1999, and considering that more

than one (1) year had already elapsed from its registration, the said title is already indefeasible and imprescriptible against the whole world, including the appellants herein.[5]

The RTC Decision

In its Decision[6] dated May 27, 2013, the RTC dismissed the complaint for lack of jurisdiction. The RTC stated that since the main objective of the appellants is the recovery of ownership of the lot described in TCT No. TP-3030 with an assessed value of P2,890.00, the case falls within the original jurisdiction of the Municipal Trial Court. The RTC further added that even assuming that it has jurisdiction over the instant case, the appellants failed to prove that the appellees succeeded in registering the said lot in their names through the employment fraud.

Hence, this appeal.

The Issues

In their Brief, appellants ascribe the following errors[7] to the RTC:

I.THE TRIAL COURT GRAVELY ERRED WHEN IT RULED THAT THE PRESENT ACTION IS CAPABLE OF PECUNIARY ESTIMATION.

II.THE TRIAL COURT GRAVELY ERRED IN NOT RULING THAT THE CONTRACT IS NOT VALID.

The Court's Ruling

The appeal lacks merit.

Whether a court has jurisdiction over the subject matter of a particular action is determined by the plaintiff's allegations in the complaint and the principal relief he seeks in the light of the law that apportions the jurisdiction of courts.[8]

The appellants claim ownership over the lot in question because according to them, they never transferred ownership of the same to the appellees. They contend that Norma de Belen Marzo, through fraud, convinced Benito de Belen to sign the contract by making it appear that what the latter was signing was a document to facilitate the conversion of the property into a residential lot. For this reason, the appellees succeeded in having the lot registered in their names. Thus, it is the appellants' submission that the present case not only pertains to the issues of title to, possession of, or any interest in the subject property, but also in the annulment and cancellation of contracts and reconveyance which, they conclude, is incapable of pecuniary estimation; hence, it falls within the jurisdiction of the RTC.

We do not agree.

An action "involving title to real property" means that the plaintiff's cause of action is based on a claim that he owns such property or that he has the legal rights to have exclusive control, possession, enjoyment, or disposition of the same. Title is the "legal link between (1) a person who owns property and (2) the property itself." [9] In a number of cases, the Supreme Court has held that actions for reconveyance of or for cancellation of title to or to quiet title over real property are actions that fall under the classification of cases that involve "title to, or possession of, real property, or any interest therein." [10]

Taking the foregoing into account, the power of the RTC under Section 19 of Batas Pambansa 129[11], as amended[12], to hear actions involving title to, or possession of, real property or any interest in it now covers only real properties with assessed value in excess of P20,000.00. But the RTC retained the exclusive power to hear actions the subject matter of which is not capable of pecuniary estimation. Section 33, on the other hand provides that, if the assessed value of the real property outside Metro Manila involved in the suit is P20,000.00 and below,

as in this case, jurisdiction over the action lies in the first level courts. Thus—

SEC. 33. Jurisdiction of Metropolitan Trial Courts, Municipal Trial Courts and Municipal Circuit Trial Courts in Civil Cases -- Metropolitan Trial Courts, Municipal Trial Courts and Municipal Circuit Trial Courts shall exercise:

x x x x

(3) Exclusive original jurisdiction in all civil actions which involve title to, or possession of, real property, or any interest therein where the assessed value of the property or interest therein does not exceed Twenty thousand pesos (P20,000.00) or, in civil actions in Metro Manila, where such assessed value does not exceed Fifty thousand pesos (P50,000.00) x x x.

From the foregoing, there is no dispute that the assessed value of the lot in question as shown by Tax Declaration No. 044-00344[13] is P2,890.00. Clearly, jurisdiction over the instant case belongs not to the RTC but to the MTC. With this conclusion, it is unnecessary to pass upon the other issue raised in this appeal.

WHEREFORE, the instant appeal is DENIED. The assailed Decision dated May 27, 2013 of the Regional Trial Court of Balayan, Batangas, Branch 10, in Civil Case No. 4537 is hereby AFFIRMED.

SO ORDERED.

Reyes, Jr., (Chairperson), and Lopez, JJ., concur.

[1] Rollo, pp. 33-49

[2] Ibid, pp. 52-61

[3] Records, pp. 1-3

[4] Rollo, pp. 52-53

[5] Ibid, pp. 53-54

[6] Supra note 2.

[7] Rollo, p. 33

[8] Heirs of Generoso Sebe Aurelia Censero Sebe and Lydia Sebe vs. Heirs of Veronico Sevilla and Technology and Livelihood Resource Center, G.R. No. 174497, October 12, 2009

[9] Ibid.

[10] Heirs of Valeriano S. Concha, Sr. vs. Spouses Gregorio J. Lumocso1 and Bienvenida Guya, et al., G.R. No. 158121, December 12, 2007

[11] The Judiciary Reorganization Act of 1980

[12] An Act Expanding the Jurisdiction of the Metropolitan Trial Courts, Municipal Trial Courts and Municipal Circuit Trial Courts, Amending for the Purpose Batas Pambansa Blg. 129, otherwise Known as the "Judiciary Reorganization Act of 1980."

[13] Records, p. 11

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