

AUREA CRISANTO, ISABELO CRISANTO, ALEJANDRA CRISANTO, JOSEFINA CRISANTO, MODESTO CRISANTO, TERESA CRISANTO AND PASTORA GARCIA, PLAINTIFFS AND APPELLANTS, VS. ANTONIO TAJON, MARI...

G.R. No. L-4455. May 22, 1953

Ponente: PADILLA, J.

Read online (full-text search, related cases, audio case brief): <https://batas.org/library/8a1f0a0cb0bc/>

PADILLA, J.:

This is an appeal from a judgment annulling the sale of a parcel of land described in the third amended complaint made on 18 September 1936 by Toribio in favor of Antonio Tajon and another of the same parcel of land executed on 17 September 1947 by the latter in favor of Manuel Yasay and Mariano Yasay in so far as one-fourth of one-half or one-eight undivided share of the parcel of land is concerned: holding the plaintiffs Josefina Crisanto, Modesto Crisanto, and Teresa Crisanto to be the lawful owners of one-eight undivided share of the parcel of land but ordering them to pay to Antonio Tajon one-fourth of what he paid for the parcel of land or P375, together with lawful interests thereon from the date of the judgment; Antonio Tajon to pay to Manuel Yasay and Mariano Yasay one-fourth of what the latter paid to the former for the parcel of land, or P2,500 together with lawful interests thereon from the date of the judgment; Manuel Yasay and Mariano Yasay to deliver to Josefina Crisanto, Modesto Crisanto and Teresa Crisanto one-fourth undivided share of the parcel of land; and dismissing the complaint of Pastora Garcia, Aurea Crisanto, Isabelo Crisanto and Alejandra Crisanto, without costs.

The parties submitted the following stipulation of facts:

- That they agree on the identity of the parties and also of identity of the land in question.
- That the land in question was covered by the original certificate of title No. 341 in the name of the deceased Toribio Crisanto, predecessor-in-interest or father of the plaintiffs.
- That said original certificate of title has been issued by the Bureau of Lands and signed by the then Governor General of the Philippines on the 26th of August 1931, and the same has been recorded in the Office of the Register of Deeds of Nueva Vizcaya on the 5th day of October 1931.
- That on September 18, 1936, said Toribio Crisanto sold the said property to defendant Antonio Tajon, and the same has been registered in the Office of the Register of Deeds on the same date and Transfer Certificate of Title No. 1789 was issued in favor of said Antonio Tajon.
- That in turn Antonio Tajon sold to defendants Manuel Yasay and Mariano Yasay the said land on Sept. 17, 1947, and that said sale was registered on September 9, 1948, and by virtue of it Transfer Certificate of Title No. T-1271 was issued in the name of said defendants Manuel Yasay and Mariano Yasay.

That all other facts not covered by this agreement shall be the subject of further evidence on both parties.

The ground or reason for the judgment is that the parcel of land was applied for and secured as homestead by the late Toribio Crisanto in his lifetime, being then married to Pastora Garcia; that the patent was issued on 26 August 1931 and recorded on 5 October 1931 in the Office of the Registrar of Deeds for the province of Nueva Vizcaya where the land lies; that the sale of the homestead land made on 18 September 1936 by Toribio Crisanto was null and void because it was alienated within the term of the prohibition; that the action to annul the sale of the homestead land brought by Pastora Garcia, the widow of the late Toribio Crisanto, Aurea, Isabelo and Alejandra surnamed Crisanto, three children of the deceased, who were of age on 18 September 1936, the date of the accrual of the cause of action was barred by the statute of limitations, because it was brought on 19 August 1948, or more than ten years after the cause of action had accrued, but that the action of the other three children of the deceased Toribio Crisanto named Josefina, Modesto and Teresa born on 25 May 1926, 15 June 1931 and 15 October 1933, respectively, was not barred by the statute of limitations because they were under age at the time the right of action accrued.

The law applicable to the case is found in section 116 of Act No. 2874, as amended by Act No. 3517, which took effect on 29 November 1919 and 4 February 1929, respectively.

The same question was raised and decided on 13 June 1941 by this Court in the case of Register of Deeds of Nueva Ecija vs. The Director of Lands, 72 Phil. 313, where it is held that the term of five years within which lands acquired under the free patent or homestead provisions cannot be encumbered or alienated is to be counted from the date of issuance of the patent or grant and not from the date of registration thereof in the office of the Register of Deeds. The rule is reiterated in Villacorta vs. Ulanday, 1 Off. Gaz. 870, No. 12, decided on 24 August 1942. It would serve no useful purpose to restate the reason for the rule.

The judgment appealed from is reversed; the complaint is dismissed, without costs.

Paras, C. J., Feria, Pablo, Bengzon, Tuason, Montemayor, Reyes, Jugo and Labrador, JJ., concur.
Bautista Angelo, J., no part.

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.