

MANUEL C. CASTAÑEDA, AS CHAIRMAN OF THE LAND TENURE ADMINISTRATION, ET AL., PETITIONERS, VS. THE HON. COURT OF APPEALS, ET AL., RESPONDENTS.

G.R. No. L-25874. February 28, 1969

Ponente: REYES, J.B.L., J.

Read online (full-text search, related cases, audio case brief): <https://batas.org/library/c7201950c17d/>

REYES, J.B.L., J.:

Petition to review the 3-2 decision of a Special Division of the Court of Appeals, in Case CA-G. R. No. 31861-R, declaring Juanita Vizcarra as entitled to preference over the late Simplicio Almando in the purchase of Lot 13-A of the Baclaran Homesite, acquired by the Government under Commonwealth Act No. 539.

The essential facts are thus stated by the Court of Appeals:

"In 1947 the Baclaran Estate in Parañaque, Rizal, was acquired and subdivided into home lots by the government pursuant to the provisions of Commonwealth Act No. 539. Among the tenants on the estate was Mariano Vizcarra who was occupying Lot 21-B, measuring about 773 sq. m., which was subdivided into smaller lots among which is Lot 13-A (Block 62) with an area of 148 sq. m. It was applied for in the name of Mariano's daughter Juanita Vizcarra and on April 23, 1948 the Rural Progress Administration executed in her favor an agreement to sell said lot. On May 3, 1948 the lot was paid in full; however, the RPA had failed to execute a final deed of sale as provided in the agreement to sell.

On July 6, 1954 Simplicio Almando, now deceased and substituted by his heirs, wrote a letter to the Bureau of Lands to which office the administration of the homesite was transferred, alleging that he, and not Juanita, was the occupant of Lot 13-A and in effect protesting the sale thereof to her. Almando requested for an investigation which was conducted, the parties presenting their respective evidence. Before the protest could be decided, the Land Tenure Administration was created to which were transferred the functions, powers and duties of the Bureau of Lands with regard to the private estates acquired by the government for resale. The protest was docketed in the new office as LTA Case No. 124. On the basis of the record forwarded to the LTA, its Chairman, Manuel E. Castañeda, rendered a decision wherein it was held that Juanita never occupied Lot 13-A and that it was Almando who was actually occupying the house standing thereon and therefore had the preferential right to purchase the lot. The agreement to sell in favor of Juanita was ordered cancelled and the amount she paid thereunder refunded and Almando was required to file his application for the lot. The decision was affirmed on appeal to the Office of the President.

Juanita, assisted by her husband, brought this action in the Court of First Instance of Rizal (Branch VII, Pasay City) to set aside the decision of the LTA Chairman and to compel him, or any other official with capacity to act in the premises, to execute in her favor an absolute deed of sale of the disputed lot. The parties agreed to submit the case for decision on the evidence they adduced during the investigation held in the Bureau of Lands and the court on the basis thereof likewise held that Almando (or his heirs) being the actual occupant, should be preferred in the purchase of the lot and accordingly entered judgment dismissing the action. Hence, this appeal by Juanita."

The Court of Appeals declared Juanita Vizcarra entitled to priority in the purchase of the disputed Lot 13-A, and

reversed the decision of the Court of First Instance, primarily on the basis that Almando was not an occupant in good faith. His motions for reconsideration having been rejected, Almando petitioned this Court for a review. We granted certiorari.

At the outset, it is well to note that the proceedings below were in the nature of a judicial review of a regular executive decision of the Land Tenure Administration affirmed by the Office of the President of the Philippines. They declared that Almando should be preferred in the purchase of the lot in question, on the basis of the following findings: (1) that Almando is the actual occupant of the lot; (2) that in 1945 he declared in his name for taxation purposes the house erected on the contested lot; (3) that Juanita Vizcarra never occupied the lot; (4) that the Vizcarras already purchased from the government other lots in the Baclaran Estate with a total area of 508 square meters; (5) that while Mariano Vizcarra (Juanita's father) was formerly the lessee, and later the purchaser, of Lot No. 21-B of the Baclaran estate, "it does not appear that Lot 13-A (now contested), was formerly a part of Lot 21-B" (See Appendix, Appellant's brief, pages XL-XLI).

The foregoing findings of fact are binding on the courts, and may not be ignored or varied, in the absence of fraud, imposition or mistake other than error of judgment in the appreciation of the evidence.[1] None are here shown.

Undoubtedly aware of such basic principle, the Court of Appeals sought to evade the effect of the administrative adjudication by declaring that, although an actual occupant, Almando was not a bona fide one because (a) he was not unaware of the superior right of another, as Mariano Vizcarra had also asserted ownership over the house that Almando declared for taxation purposes in 1945; (b) his house was placed on Lot 13-A with the consent and tolerance of Mariano, and (c) Almando had not objected to Juanita's application for the purchase of the lot.

We do not find the conclusion of the Court of Appeals to be warranted by the record. Good faith is always presumed. That Almando's actual occupancy of Lot 13-A was tolerated by Mariano Vizcarra, as averred, does not render it in bad faith for the purposes of the law on landed estates (Commonwealth Act No. 539); in fact, Mariano's alleged tolerance is rendered doubtful by the fact that Lot 13-A was not a part of Lot 21-B leased to Vizcarra, as found by the executive authorities. As to the allegedly delayed action against the original award in favor of appellee Juanita Vizcarra, there is no showing on record when he learned of it for the first time.

The inescapable fact is that Lot 13-A, now contested, was not the lot leased to Mariano Vizcarra. Hence, Vizcarra and Almando were, at most, on equal footing as to said lot, and Vizcarra could not assert a better right thereon. As Almando was the actual occupant, he is entitled to priority in its purchase, and it was thus correctly decided by the executive officials. Furthermore, Vizcarra already had Lot 21-B in the Baclaran Estate and was not entitled to buy another.

Stress is laid on the right of former tenants, if they had children, to acquire greater areas under the LTA regulations. In the first place, any such right must be understood without prejudice to better right of actual occupants. The latter could not be thrown out just to accommodate the families of others. In the second place, Mariano Vizcarra never applied for the purchase of Lot 13-A; the one who did so was only his daughter, Juanita, and as she was not a former lessee of the Baclaran Estate, nor the actual occupant of Lot 13-A, she had no right to avail of the above-mentioned regulation.

WHEREFORE, the decision appealed from is reversed, and that of the Court of First Instance affirmed, declaring Simplicio Almando entitled to priority in the purchase of Lot 13-A of the Baclaran Estate. Costs against appellee, Juanita Vizcarra.

Concepcion, C.J., Dizon, Makalintal, Zaldivar, Castro, Fernando, Capistrano, Teehankee, and Barredo, JJ.,

concur.

Sanchez, J., did not take part.

[1] Ortua vs. Singson, 59 Phil. 440; Alfafara vs. Mapa, 95 Phil. 125; De Guzman vs. De Guzman, 104 Phil. 24; Denopol vs. Director of Lands, 106 Phil. 666; Sanchez vs. Vda. de Tamsi (1962) 58 OG (No. 48) 7859; Abig vs. Constantino, 58 OG (No. 51) 8404; Ganitano vs. Secretary of Agriculture (1966) 16 S. C. R. A. 544.

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.