

**MARIA NECITA LUCION AND AMIE CASTILLO, PETITIONERS, VS.
THE PRESIDING JUDGE, RTC 16, NAVAL, BILIRAN, REGISTRY OF
DEEDS-NAVAL, BILIRAN, AND SPOUSES RAMON C. UY AND CHYNIA
DE LEON...**

Ponente: LIBREA-LEAGOGO, C.C., J.

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LIBREA-LEAGOGO, C.C., J.:

Before Us is a Petition for Annulment of Final Judgment[1] under Rule 47 of the Rules of Court (with Prayer for Preliminary Mandatory Injunction) dated 04 March 201(5), seeking to annul the Decision[2] dated 30 June 2005 of the Regional Trial Court, Eighth Judicial Region, Branch 16, Naval, Biliran in the case entitled “Application for Land Registration Under Act. No. 496, as amended by P.D. 1529, Roman Uy as Applicant” docketed as Land Registration Case No. LRC 2003-02, the dispositive portion of which reads:

“WHEREFORE, the Register of Deeds of the Province of Biliran is hereby ordered to issue an Original Certificate of Title in favor of the petitioner ROMAN UY over the two (2) parcels of land designated as Lot 1-A and Lot 1-C Psu-083727-002214 (Amd)-D, both situated at Barangay Burabod, Kawayan, Biliran.

SO ORDERED.”[3]

We DISMISS the Petition outright.

Section 1, Rule 47 of the Rules of Court limits the coverage of petitions for annulment of judgments or final orders and resolutions of the Regional Trial Courts in civil actions, viz:

“SECTION 1. Coverage. — This Rule shall govern the annulment by the Court of Appeals of judgments or final orders and resolutions in civil actions of Regional Trial Courts for which the ordinary remedies of new trial, appeal, petition for relief or other appropriate remedies are no longer available through no fault of the petitioner.” (Emphasis supplied)

The assailed Decision[4] dated 30 June 2005 was issued in Land Registration Case No. LRC 2003-02, entitled “Application for Land Registration Under Act. No. 496, as amended by P.D. 1529, Roman Uy as Applicant,” with the Regional Trial Court acting as a land registration court.

Clearly, the Decision sought to be annulled was issued in Land Registration Case No. LRC 2003-02, a land registration proceeding. It is not a judgment or a final order and resolution in a civil action of the Regional Trial Court, as required under Section 1, Rule 47 of the Rules of Court. Thus, the filing of the instant Petition under Rule 47 is clearly a wrong or improper remedy.

A civil action is different from a land registration case, which is a special proceeding. (A) civil action is defined as one by which a party sues another for the enforcement or protection of a right, or the prevention or redress of a wrong.[5] (On the other hand,) in land registration proceedings, the ownership by a person of a parcel of land is sought to be established.[6]

Thus, a plain reading of Section 1 of Rule 47 evinces that it is limited to annulment of judgments, or final orders and resolutions of the Regional Trial Court in a civil action, and its restrictive application cannot be enlarged, to include within its coverage, a land registration case or proceeding.

(It has been) repeatedly stressed that an action to annul a final judgment is an extraordinary remedy, which is not to be granted indiscriminately. It is a recourse equitable in character, allowed only in exceptional cases xxx.[7] Thus, being an extraordinary remedy allowed only in exceptional cases, Rule 47 cannot be availed of by petitioners as a remedy to annul the assailed Decision in Land Registration Case No. LRC 2003-02 which is not a civil action, and is clearly beyond the ambit of the said Rule.

WHEREFORE, premises considered, the Petition is DISMISSED outright.

SO ORDERED.

Lazaro-Javier, and Sadang, JJ., concur.

[1] Rollo, pp. 03-11

[2] Id. at 31-35

[3] Id. at 35

[4] Id. at 31-35

[5] Heirs of Magdaleno Ypon, etc. v. Gaudioso Ponteras Ricaforte a.k.a. "GAUDIOSO E. YPON," et al., G.R. No. 198680, 08 July 2013

[6] Spouses Topacio, etc. v. Banco Filipino Savings and Mortgage Bank, G.R. No. 157644, 17 November 2010

[7] Virginia Y. Gochan, et al. v. Charles Mancao, G.R. No. 182314, 13 November 2013

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