HEIRS OF THE LATE FELIPE CONSTANTINO AND LUZ AGONCILLO-CONSTANTINO, ET AL., PETITIONERS, VS. FIRST MEGA HOLDINGS CORPORATION, ET AL., RESPONDENTS.

Ponente: CARANDANG, J.

Read online (full-text search, related cases, audio case brief): https://batas.org/library/d713361d2104/

CARANDANG, J.:

This is a petition for certiorari, prohibition and mandamus filed by petitioners Heirs of the Late Felipe and Luz Agoncillo-Constantino, praying for the nullification and cancellation of transfer of titles issued to private respondents; nullification and cancellation of the emancipation patents issued to private respondents-farmer beneficiaries; the reinstatement of Transfer Certificate of Title (TCT) No. 239862 in the name of Felipe and Luz Constantino; the return of possession of the property covered by said title; the prohibition for the disposal or transfer of the disputed property; and for damages, attorney's fees, and costs of suit.

Briefly, the instant petition stemmed from a complaint[1] for the declaration of nullity/cancellation of title, recovery of possession, injunction and damages with application for the issuance of temporary restraining order and/or writ of preliminary injunction, filed on September 14, 2010, by herein petitioners heirs of Felipe and Luz Constantino, through their Attorney-in-Fact, Nazarito Constantino and Mary Lou Constantino, against Nazario Lorenzo, Angelino Siccion, First Mega Holdings Corporation (FMHC, for brevity), Topworth Resources, Inc. (Topworth), Pilipinas Shell Petroleum Corporation (Shell), Land Bank of the Philippines (Land Bank), Register of Deeds, Guiguinto, Bulacan, the Municipal Agrarian Reform Officer (MARO) of Guiguinto, Bulacan, and the Provincial Agrarian Reform Office of Malolos City, docketed as Civil Case No. 535-M-2010 in the Regional Trial Court (RTC) Branch 84, of Malolos City, Bulacan. The complaint alleged that spouses Felipe and Luz Constantino were the owners of parcel of land situated at Barangay Malis, Guiguinto, Bulacan, with an area of 37,867 square meters, covered by TCT No. RT-43398 (239862) issued by the Register of Deeds of Bulacan on February 23, 1977; that on October 7, 1985, spouses Felipe and Luz filed a letter-petition for retention of their properties which included the property covered by said title; that several indorsements were made until on September 6, 1993, spouses Constantino received a copy of a letter sent by the MARO to Land Bank, ordering the suspension of payment to the spouses considering that the area covered by TCT No. 239862 was a retained area; and that despite the the order of suspension of payment by MARO, several Emancipation Patents were issued by the Department of Agrarian Reform on January 28, 1994, among them TCT No. T-2089-EP and TCT No. T-2088-EP in the name of Nazario Lorenzo, which had not been annotated on the title of spouses Constantino. Felipe and Luz Constantino subsequently died in 1996 and 1999, respectively, and had not been able to follow-up on the status of the application for retention due to their illnesses. Meanwhile, as further alleged in the complaint, Nazarito and Mary Lou Constantino met and discussed in 2005 with Angelina Siccion, a representative of Topworth, regarding a sale of one of their properties, which required the execution of an extrajudicial settlement of the estate of spouses Felipe and Luz Constantino; that a certified true copy of TCT RT-43398 (239862) was secured wherein they discovered that the said title had been cancelled by the Register of Deeds due to the registration of the Emancipation Patents, one of which was that of herein private respondent Nazario Lorenzo; and that based on the certified true copy of TCT RT-43398 (239862) which they secured, several entries had been

made regarding the registration of a subdivision plan approved by the Regional Technical Director of the DENR and the registration of the Emancipation Patents issued by DAR which caused the cancellation of TCT RT-43398 (239862); and that upon securing certified true copies of the emancipation patents issued on the disputed property, it appeared that a deed of sale was executed on October 4, 2007 between Nazario Lorenzo and FMHC. Hence, the titles in the name of Nazario Lorenzo had been cancelled and TCT No. T-260830 had been issued to FMHC on December 12, 2007; and that based on the records of the Sangguniang Barangay of Barangay Malis, Guiguinto, Bulacan, FMHC had been granted clearance, allegedly Resolution No. 18, Series of 2007, to develop, construct, and operate a gasoline station as early as March 28, 2007, operated by Topworth; that on November 10, 2008, the disputed property had been reclassified as a commercial property by the Sangguniang Bayan through Kautusang Bayan Bilang 093, Series of 2008; and that due to to conversion and reclassification, the disputed property is currently being used by Shell as a gas station and a mall had been built thereon.[2]

In response to the complaint, herein public respondent Register of Deeds filed a motion to dismiss dated September 30, 2010, on the ground that the court had no jurisdiction over agrarian reform matters, which the complaint pertained to.[3] In their comment/opposition thereto, petitioners herein averred that although the current titles over the disputed property emanated from Emancipation Patents, said titles issued to private respondents are no longer Emancipation Patents, and that the issue is on the validity of the issuances and transfer of title to private respondent FMHC considering that there was no tenancy relationship between private respondent Nazario and petitioners.[4]

On October 5, 2010, herein private respondents Angelina Siccion, FMHC and Topworth also filed their Answer with Counterclaim.[5]

On May 9, 2011, the RTC granted private respondent Register of Deeds' motion to dismiss, ruling that it is the Department of Agrarian Reform Adjudication Board (DARAB) has exclusive jurisdiction over petitioners' complaint and not the regular courts. Thus, the RTC ruled:[6]

> "It is well-settled that the DAR, through its adjudication arm, i.e., the DARAB and its regional and provincial adjudication boards, exercises quasi-judicial functions and jurisdiction on all matters pertaining to an agrarian dispute or controversy and the implementation of agrarian reform laws. The Department of Agrarian Reform Adjudication Board (DARAB) is vested with primary and exclusive jurisdiction to determine and adjudicate agrarian reform matters, including all matters involving the implementation of agrarian reform program. Thus, when a case is merely an incident involving the implementation of the Comprehensive Agrarian Reform Program (CARP), then jurisdiction remains with the DARAB, and not the regular courts. (citing Department of Agrarian Reform vs. Abdulwahid, G. R. No. 163285, February 27, 2008; 547 SCRA 30)
>
> xxx xxx xxx
>
> WHEREFORE, finding merit in the motion at bar, the same is hereby granted and the instant case is accordingly dismissed.
>
> SO ORDERED."

On motion for reconsideration, the same was denied,[7] which became final on July 27, 2011.[8]

In view of its finality, petitioners pray for the relaxation of the rules for the late filing of the instant petition, which notably does not indicate any material dates in accordance with Rule 65 to show timeliness, on the ground that the records handed to them by their former counsel are incomplete and that they had been deprived of their property without due process and just compensation.[9]

We resolve to dismiss the petition.

Bar review courses, mock exams and a study planner that keeps you on pace - batas.org

The issue herein is not whether petitioners are entitled to the reliefs prayed for, but whether public respondent RTC correctly dismissed petitioners' complaint for lack of jurisdiction.

Petitioners argue that “it is useless now to resort to the 2003 DARAB rules of procedure as the subject titles are already in the hands of corporate respondents and not to the hereditary heirs of the respondent farmer-beneficiaries.”[10] Impliedly, petitioners claim that their complaint is within the jurisdiction of public RTC since the properties had already been reclassified as a commercial property.

Such argument is erroneous. At this point, the ruling of the Supreme Court in Narciso Guiang versus Court of Appeal, Fernando T. Dulay et al, (G. R. No. 169372, December 6, 2006), is significantly relevant to support Our stand that public respondent RTC correctly dismissed petitioners' complaint due to lack of jurisdiction. It is the DARAB that has jurisdiction over petitioners' complaint in view of the reliefs prayed for, and not because of the current nature of the disputed property as petitioners insist. Thus, the Supreme Court ruled in said case:

> “It is axiomatic that the jurisdiction of a tribunal, including a quasi-judicial officer or government agency, over the nature and subject matter of a petition or complaint is determined by the material allegations therein, the character of the relief prayed for, and the law existing at the time of the filing of the complaint or petition. (citing Heirs of Dela Cruz v. Heirs of Cruz, G.R. No. 162890, November 22, 2005, 475 SCRA 743.) Jurisdiction should be determined by considering not only the status on the relationship between the parties, but also the nature of the issues or questions subject of the controversy. If the issue between the parties is intertwined with an issue the resolution of which is within the exclusive jurisdiction of the DARAB, it must be resolved by the same body. (citing Monsanto v. Zerna, 423 Phil. 150, 163 (2001)) When the actual issues are evident from the records of the case, then jurisdiction over the subject matter need not depend upon the literal averments in the complaint, but on the law as applied to established facts. (citing Allied Domecq Phil., Inc. v. Villon, G.R. No. 156264, September 30, 2004, 439 SCRA 667) As the Court held in Ramos v. Stateland Investment Corporation:
>
> '. . . It is axiomatic that the nature of the action and the jurisdiction of the court is to be determined from the material allegations of the complaint as well as the character of the relief prayed for irrespective of whether or not the plaintiff is entitled to such relief. The jurisdiction of the court or tribunal over the subject matter of the action is determined exclusively by the Constitution and the law. Jurisdiction cannot be conferred by the voluntary act or agreement of the parties; it cannot be acquired through or waived, enlarged or diminished by their act or omission. Neither is it conferred by the acquiescence of the court. It is neither for the court nor the parties to violate or disregard the rule, this matter being legislative in character. Thus, the jurisdiction over the nature of an action and the subject matter thereof is not affected by the theories set up by the defendant in an answer or motion to dismiss.'”

In the same case, the Supreme Court further pointed out the jurisdiction of DARAB as follows:

> “The powers and functions of the DAR are set forth in Section 50 of R.A. No. 6657. The provision reads:
>
> Section 50. Quasi-Judicial Powers of the DAR. — The DAR is hereby vested with primary jurisdiction to determine and adjudicate agrarian reform matters and shall have exclusive original jurisdiction over all matters involving the implementation of agrarian reform, except those falling under the exclusive jurisdiction of the Department of Agriculture (DA) and the Department of Environment and Natural Resources (DENR).
>
> xxx xxx xxx
>
> Section 3(d) of the same law defines "agrarian dispute" as "any controversy relating to tenurial arrangements, whether leasehold, tenancy, stewardship or, otherwise, over lands devoted to agriculture, including disputes concerning farmworkers' associations or representation of persons in negotiating, fixing, maintaining, changing, or seeking to arrange terms or conditions of such tenurial arrangements. It includes any controversy

> relating to compensation of lands acquired under this Act and other terms and conditions of transfer of ownership from landowners to farmworkers, tenants and other agrarian reform beneficiaries, whether the disputants stand in the proximate relation of farm operator and beneficiary, landowner and tenant, or lessor and lessee.
>
> xxx xxx xxx
>
> Section 1(f), Rule II of the DARAB likewise provides that the DARAB has primary and exclusive jurisdiction over matters involving the issue, correction and cancellation of Certificates of Land Ownership Awards (CLOAs) and emancipation patents which are registered with the Land Registration Authority. xxx
>
> xxx xxx xxx
>
> xxx Also, the issue of whether the emancipation patents and the torrens titles issued to respondents should be cancelled is a matter beyond the jurisdiction of the RTC. It should be resolved by the DARAB. xxx"

It must be stressed that since the filing of the complaint before public respondent RTC, petitioners had been praying for the nullification of private respondents' title, the nullification of the emancipation patents on which private respondents' title emanated, and the reinstatement of petitioners' title, TCT No. RT-43398 (239862), in the name of their parents, Felipe and Luz Constantino. And it must be further emphasized that, admittedly, the property originally covered by TCT No. RT-43398 (239862) had been the subject of an application for retention with the MARO, and that despite said application, emancipation patents had already been issued thereon, and portions of the property with emancipation patents had already been reclassified as commercial properties. Thus, it cannot be denied that the instant case involves a property well within the jurisdiction of the DARAB, since it ultimately involves the question of legality in the issuance of the emancipation patents to herein private respondents farmer-beneficiaries, the reclassification of the property that led to the transfer of title to herein private respondent corporations, as well as the alleged lack of just compensation.[11] As to whether or not the law has been complied with in the proper issuance of the emancipation patents, in the reclassification of the disputed property, and whether there was due process in the cancellation of petitioners' property and just compensation, are beyond the scope of the instant petition under Rule 65, and may be properly threshed in the DARAB.

WHEREFORE, the instant petition is DENIED for lack of merit. Petitioners' manifestations[12] filed subsequently are merely NOTED.

SO ORDERED.

Gonzales-Sison and Sorongon, JJ., concur.

---

[1] Rollo, p. 85

[2] Rollo, pp. 87-90

[3] Rollo, pp. 156-166

[4] Rollo, pp. 195-197

[5] Rollo, pp. 169-194

[6] Rollo, pp. 202-203

[7] Rollo, p. 13

[8] Rollo, p. 205

Turn this case into an audio lecture - facts, issues, ruling and doctrine - at batas.org

[9] Rollo, pp. 13-14

[10] Rollo, p. 25

[11] Rollo, pp. 26-27.

[12] Rollo, pp. 261-304.

Bar review courses, mock exams and a study planner that keeps you on pace - batas.org

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.