

FULGENCIO OCUMIN, ET AL., PETITIONERS, VS. COURT OF APPEALS, ET AL., RESPONDENTS.*G.R. No. L-42003. October 27, 1987*

Ponente: NARVASA, J.

Read online (full-text search, related cases, audio case brief): <https://batas.org/library/ed9399e7d8e6/>**NARVASA, J.:**

Reversal of the judgment of the Court of Appeals, which sustained that of the Lower Court -- decreeing the ejectment of petitioners Ocumin, et al. from the land in litigation and its surrender to respondent Victoria Manza -- is what is sought in the instant petition for review on certiorari.

Victoria Manza owned a piece of land in Lopez, Quezon, identified as Lot 8210. On March 16, 1951 she and Flora Rabulan executed a "Kasunduan" with Fulgencio Ocumin by which the latter undertook to construct a fishpond on the lot in consideration of his free use and enjoyment thereof for six (6) years, after which it would be turned over to Manza. Manza showed the land to Ocumin who thereupon commenced work thereon. Ocumin's occupancy was however questioned by the Bureau of Forestry because, as it turned out, the land on which he built the fishpond was not Lot 8210 but in fact the adjoining one, identified as Lot 5011, which was part of a public forest. Manza having quickly disowned participation and responsibility in such improper occupancy, only Ocumin and his workers were meted the corresponding sanction.

Ocumin then applied for a fishery permit over Lot 5011. Manza did the same, thru her nephew, Vicente Olega. The conflicting applications gave rise to an administrative proceeding, docketed as DANR Case No. 1458. But while this case was pending, Manza hied herself to the Bureau of Lands and, on the representation that Lot 5011 was an agricultural public land, without any claimant, was able to obtain a free patent over it, Numbered V-55447, and the corresponding Original Certificate of Title (No. P-3580). The Bureau of Lands soon discovered the misrepresentation, however, and lost no time in instituting suit in the Court of First Instance of Quezon to nullify the patent and title thus issued.

DANR Case No. 1458 resulted in a decision dated December 18, 1969 finding that Ocumin and his companions were "the bona-fide occupants of said land (Lot 5011), paying forest charges or fees for their occupation ** and ** had converted said land from the undeveloped mangrove swamp that it was before into the thriving, prosperous fishpond that it is now," and directing the issuance to Ocumin of a fishery permit over the lot "after the declaration by the court of the nullity of Free Patent No. V-55447 and the corresponding Original Certificate of Title No. P-3580 in the name of Victoria Manza and the reversion of the area covered thereby to the mass of public domain." [1] That declaration came seven (7) years later, when in the the suit for annulment of Manza's free patent and title, judgment was rendered by the Court of Appeals dated February 3, 1976, annulling said free patent and title as prayed for, and commanding the reversion of the land to the public domain, which judgment became final and executory on April 29, 1976. [2]

In the meantime, Manza and Rabulan instituted in the Justice of the Peace Court of Lopez, Quezon, an action for unlawful detainer against Ocumin, on the theory that under the "Kasunduan" of March 16, 1951 the latter's rights

to occupy, use and enjoy both Lots 8210 and 5011 had expired. That Court rendered judgment on February 28, 1958 requiring Ocumin to vacate Lot 8210 but, on the finding that the "kasunduan" referred only to Lot 8210, dismissing the complaint as to Lot 5011. The Court of First Instance, on appeal, however ruled that the "kasunduan" did embrace both lots and ordered Ocumin also to return Lot 5011 to Manza as well as to pay her P10,000.00 as damages and P3,000.00 by way of attorney's fees. The Court of Appeals affirmed the judgment of the Court of First Instance. Hence, the instant recourse to this Court by Ocumin and his co-petitioners.

In the light of the undisputed facts above briefly narrated, the resolution of the case at bar is clear, simple, inescapable. Manza has no right whatever over Lot 5011, the free patent issued in her favor and the title subsequently obtained by her having been declared void on account of fraud by final judgment of the Court of Appeals. On the other hand, Ocumin's entitlement to the occupation of said lot and to a fishery permit in regard to it has been established by final order of the Department of Agriculture and Natural Resources. Manza has no right to the possession of Lot 5011 at all, it being Ocumin, on the contrary, who has that right.

IN VIEW OF ALL THE FOREGOING, the Court Resolves to SET ASIDE the decision of the Court of Appeals under review, as well as those thereby affirmed in whole or in part, and to ORDER the dismissal of the complaint for ejectment against the petitioners as regards Lot 5011. This resolution is immediately executory, and no motion for extension of time to file a motion for reconsideration will be entertained. IT IS SO ORDERED.

Teehankee, C.J., Cruz, Paras*, and Gancayco, JJ., concur.

[1] Rollo, pp. 41-45

[2] Id., pp. 72-78

* Designated a Special Member of the First Division

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.