

BLAS CUNANAN, PETITIONER, VS. FELICIDAD LARA DE ANTE-PASADO, ET AL., RESPONDENTS.

G.R. No. L-16169. August 31, 1962

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SUMMARY

The original area of the land sold by vendor, Luciano Antepasado to plaintiff was. 197 sq. m. After the death of the vendor, respondents herein as his heirs, executed a deed of ratification wherein they admitted that the true area sold was 322 sq. m. Eleven (11) years after the date of the ratification, petitioner built his house on a portion of the land outside of the 197 sq. m. but within the confines of the 322 sq. m. Thereupon, respondents demanded from petitioner the payment of rentals of the land occupied alleging ownership thereof. Upon petitioner's refusal to vacate, they filed an action in the Court of First Instance of Davao for the annulment of the deed of ratification on the ground that the deed was secured by means of fraud, misrepresentation and lack of consideration. The court rendered judgment in favor of petitioner and the respondents appealed to the Court of Appeals which reversed the judgment of the lower court. On appeal, the Supreme Court reversed the decision of the Court of Appeals.

RULING

Plaintiff's (now respondents) right to impugn the deed of ratification has prescribed. Petitioner had a valid Torrens Title regularly issued in his name on the strength of the Deeds of Sale and Ratification.

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