

ELMINA C. DAVID-FERNANDEZ, WIVENIA C. DAVID-ESMUNDO, JUAN PABLO C. DAVID AND SERAFIN C. DAVID, JR., PETITIONERS, VS. OMEGA BREEDERS, INC. REPRESENTED BY BONIFACIO ONG, GREGORIO ...

Ponente: SORONGON, E.D., J.

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SORONGON, E.D., J.

Before Us is a Petition for Review under Rule 43 of the Revised Rules of Court filed at the instance of Elmina David-Fernandez, Wivenia David-Esmundo, Juan Pablo C. David and Serafin C. David, Jr. (petitioners) seeking to annul and set aside the Decision dated September 19, 2011[1] and the January 9, 2012 Order[2] of the Department of Agrarian Reform and Adjudication Board (DARAB) in DARAB Case No. 15744 which dismissed their petition for lack of jurisdiction and denied their Motion for Reconsideration[3], respectively.

The pertinent factual and procedural antecedents are as follows:

The present controversy involves a parcel of agricultural land identified as Lot 76 of the Victoria Cadastre, situated in Barangay Baculong, Victoria, Tarlac, containing an area of 149,749 square meters. The subject land was originally registered in the name of herein petitioners and covered by Transfer Certificate of Title (TCT) No. 107852.

In the implementation of the Land Reform Program of the government, the subject property was placed within the scope and coverage of Presidential Decree (PD) 27 through Operation Land Transfer (OLT). At the time, the subject land was under the cultivation of Gregorio C. Tañedo, John G. Morales, Felicisimo M. Morales, Rodolfo C. Rocha, Jose T. Rocha, Amado C. Rocha, Rogelio A. Tañedo, Cipriano F. Castillo, Celia vda. de Francisco and Oscar A. Tañedo (collectively referred to as respondents-farmer beneficiaries). On June 14, 1989, the Department of Agrarian Reform (DAR) eventually issued Emancipation Patents (EP) in favor of the said tenants corresponding to their individual tenancy holdings. The EPs were registered with the Registry of Deeds of Tarlac on June 24, 1993. On the basis of such award, TCT No. 107852 was cancelled and the subject property was divided into parcellary lots among the respondents-farmer beneficiaries. Thereafter, their respective TCTs were issued, as follows:

NAMES

AREA

EP NO.

TCT NO.

Gregorio C. Tañedo 24,092 sq.m. EP No. A-356889 TCT No. 17278[4]

John G. Morales 13,070 sq.m. EP No. A-356883 TCT No. 17279[5]

Felicisimo Morales 21,921 sq.m. EP No. A-356884 TCT No. 17280[6]

Jose T. Rocha 13,761 sq.m. EP No. A-356886 TCT No. 17282[7]

4,874 sq.m. EP No. A-356888 TCT No. 17284[8]

941 sq.m. EP No. A-356893 TCT No. 17289[9]

Amado C. Rocha 13,882 sq.m. EP No. A-356887 TCT No. 17283[10]

Rodolfo C. Rocha 7,696 sq.m. EP No. A-356885 TCT No. 17281[11]

Rogelio A. Tañedo 20,143 sq.m. EP No. A-356889 TCT No. 17285[12]

Cipriano F. Castillo 4,140 sq.m. EP No. A-356890 TCT No. 17286[13]

Celia vda. de Francisco 3,976 sq.m. EP No. A-356891 TCT No. 17287[14]

Oscar A. Tañedo 20,339 sq.m. EP No. A-356892 TCT No. 17288[15]

Shortly after the issuance of titles in their favor, respondents Rogelio, Cipriano, Celia and Oscar sold the lands awarded to them to respondent Omega Breeders Incorporated (OBI). Consequently, TCT Nos. 17285, 17286, 17287 and 17288 were cancelled by TCT Nos. 287626[16], 287627[17], 287628[18] and 287629[19] issued in the name of OBI.

On March 3, 1998, petitioners filed an action for Annulment and Cancellation of Emancipation Patents, Annulment of Deeds of Sale and Mortgage and Damages[20] against respondents-farmer beneficiaries and OBI before the Office of the Provincial Agrarian Reform Adjudicator (PARAD). Likewise impleaded were the DAR, Land Bank of the Philippines (LBP) and the Register of Deeds of Tarlac as nominal parties. They alleged that prior to its inclusion under PD 27, the subject landholding was mortgaged with the People's Bank and Trust Co., for Forty Five Thousand Pesos (P45,000.00), which mortgage lien was duly annotated as an encumbrance on petitioners' title. However, without their knowledge and before they could receive just compensation for the compulsory acquisition of their property, the aforesaid mortgage loan was paid by OBI through the manipulation, connivance and participation of respondents government agencies. Thereafter, respondents Rogelio, Cipriano, Celia and Oscar were made to execute deeds of sale in favor of OBI which were then used as basis for the issuance of certificates of title in the latter's name. These titles were subsequently used by OBI as collaterals for the loan it secured with the Metropolitan Bank and Trust Co. in the amount of Eight Million Pesos (P8,000,000.00).

According to petitioners, the distribution of the EPs to respondents-farmer beneficiaries was premature, irregular, anomalous and unprocedural as the same was made in violation of their constitutional right to just compensation. They further claimed that since respondents Rogelio, Cipriano, Celia and Oscar were not yet the legitimate owners of the lands covered by their EPs when they executed the deeds of sale, said deeds as well as the corresponding TCTs issued pursuant thereto were null and void. Petitioners thus prayed for the annulment and cancellation of: (i) EPs granted to respondents-farmer beneficiaries; (ii) deeds of sale in favor of OBI; and (iii) TCTs issued to OBI. They also asked for the reinstatement of their title to the subject land and that they be awarded moral and exemplary damages.

In refutation of the foregoing allegations, the DAR filed its Answer[21] averring that there was no premature distribution of the land to respondents-farmer beneficiaries as evidenced by the Certification[22] issued by Mr. Teofilo Q. Inocencio, Provincial Agrarian Reform Officer (PARO) II of Tarlac, to the effect that the registration of the questioned EPs was based on a Certificate of Compensation dated March 17, 1992. The DAR also averred

that petitioners were notified of the coverage, thus, it cannot be said that they were deprived of their rights.

For its part, LBP contended that petitioners have no cause of action against it because the former has not entered into any transaction with OBI regarding the subject land, much less participated in any manipulation or connivance with other government agencies for the benefit of said company. LBP further asserted that as far as the subject property is concerned, the bank performed its duty in accordance with the requirements of the law and has duly informed petitioners of the availability of the full compensation for their landholding upon its receipt of the order of payment from DAR. Petitioners' non-receipt of the just compensation was attributable to their own fault as they failed to submit documentary and other administrative requirements necessary for the release of the full amount which has already been earmarked by the bank.

In the meantime, OBI represented by Bonifacio Ong, through counsel, moved to dismiss the petition maintaining that the PARAD has no power to pass judgment on the case as it principally concerns the cancellation of a TCT issued pursuant to RA 496 (otherwise known as The Land Registration Act) and not a Certificate of Land Ownership Award (CLOA) or EP, which jurisdiction, lies with the regular courts.

On November 10, 1999, the PARAD issued an Order[23] denying the motion to dismiss. It ruled that since the property in question was subjected to PD 27 coverage, any controversy arising from transactions entered into between the original beneficiaries/awardees and third-parties are solely cognizable by DARAB. OBI subsequently filed a motion for reconsideration but it was likewise denied by Order dated February 4, 2002.

Thus, OBI submitted its answer reiterating as defense the PARAD's alleged lack of jurisdiction. In addition, it argued that the petition states no cause of action and is barred by prior judgment. According to OBI, its title over the lands covered by TCT Nos. 287626, 287627, 287628 and 287629 were secured only after the DAR, the agency having full authority over the generation and awarding of the subject properties covered by PD 27, gave its imprimatur to the final acquisition thereof by the company. To prove its claim, OBI pointed to an earlier decision dated January 15, 1996 in DARAB Case No. 1247-T-96 entitled "Omega Breeders Incorporated, represented by Bonifacio Ong vs. Rogelio A. Tañedo, et al.", where the DARAB ordered the cancellation of respondents Rogelio, Cipriano, Celia and Oscar's EPs which led to the issuance of certificates of title in its name. OBI also advanced the view that under RA 496, a title duly registered with the LRA becomes indefeasible one (1) year after its registration and can no longer be the subject of a subsequent litigation. Since the petition was filed only after five (5) years from registration of the properties under OBI's name, petitioners' right to question the validity of the TCTs has therefore already prescribed.

By Decision[24] promulgated on May 3, 2005, the PARAD nullified the sale between OBI and respondents Rogelio, Cipriano, Celia and Oscar for being violative of agrarian laws which expressly prohibit the transfer of lands acquired under PD 27 to third persons. It further declared said farmer beneficiaries unworthy of the agrarian reform program of the government because they blatantly disregarded the intent and purpose of the law when they sold the lands awarded to them. The PARAD, however, rejected petitioners' assertion that the property be returned to them. It held that since the subject landholding was acquired pursuant to PD 27, the government has the right to reacquire and reallocate the same. Thus, the cancellation and annulment of titles in the name of OBI would only give way to other qualified farmer beneficiaries to avail of the landholding. The fallo of the Decision reads:

"WHEREFORE, premises considered, judgment is hereby rendered:

1. Ordering the cancellation of the Emancipation Patent titles awarded to Rogelio Tañedo, Cipriano Castillo, Celia Vda. De Francisco and Oscar A. Tañedo;
2. Ordering the Register of Deeds of Tarlac to cause the cancellation of TCT Nos. 287626, 287627, 287628 and 287629 issued in favor of Omega Breeders Incorporated, which was derived from TCT Nos. 17825 under

EP No. 356889 issued in the name of Rogelio A. Tañedo, 17286 under EP No. 356890 issued in the name of Cipriano Castillo, 17287 under EP No. 356891 issued in the name of Celia Vda. De Francisco and 17288 under EP No. 356892 issued in the name of Oscar A. Tañedo;

3. Ordering the Provincial Agrarian Reform Office (PARO) of Tarlac, through its Operations Division to re-allocate the cancelled Emancipation Patent Titles to other qualified farmer-beneficiaries; and

4. Ordering the Municipal Agrarian Reform Office (MARO) of Victoria, Tarlac to submit a list of names of the qualified farmer-beneficiaries to the Operations Division of the PARO of Tarlac for further screening.

No pronouncement as to costs.

SO ORDERED."

Aggrieved, OBI appealed to the DARAB. On September 19, 2011, the DARAB issued the now challenged Decision reversing the above pronouncement of the PARAD. It ruled that petitioners' cause of action has been mooted by the decision in DARAB Case No. 1247-T'96 which ordered the cancellation of the EPs awarded to respondents-farmer beneficiaries in favor of OBI. The DARAB also held that it has no jurisdiction to pass upon the issues raised as the same involve the administrative implementation of agrarian laws which is strictly under the exclusive prerogative of the Secretary of Agrarian Reform pursuant to Section 3, Rule II of the 2003 DARAB Rules of Procedure. It disposed thuswise:

"WHEREFORE, premises considered, the assailed decision is REVERSED and SET ASIDE and a new one is entered DISMISSING the basic petition for lack of jurisdiction.

SO ORDERED."

Therefrom, petitioners sought reconsideration but the DARAB denied it in a Resolution dated January 9, 2012.

Hence, the present recourse alleging that:

ITHE DARAB ERRED IN REVERSING THE DECISION OF THE PROVINCIAL ADJUDICATOR AND DECLARING THAT THE DARAB HAS NO JURISDICTION OVER THE CASE.

IITHE DARAB ERRED IN NOT TAKING INTO CONSIDERATION THE FOLLOWING ISSUES:

- i. WHETHER OR NOT HEREIN PETITIONERS-APPELLEES WERE DEPRIVED OF THEIR PROPERTY WITHOUT DUE PROCESS OF LAW, THUS RENDERING THE COVERAGE AS NULL AND VOID;
- ii. WHETHER OR NOT THE PURPORTED FARMER-BENEFICIARIES HAD VIOLATED THE PRESIDENTIAL DECREE NO. 27; AND
- iii. WHETHER OR NOT THE TITLE OF RESPONDENT-APPELLANT OMEGA BREEDERS, INC. SHOULD BE CANCELLED AS IT WAS A FRUIT OF AN ILLEGAL TRANSFER PROSCRIBED UNDER PRESIDENTIAL DECREE NO. 27 AND WHICH DEEDS OF SALE ARE ILLEGAL.

To put things in their proper perspective, we shall discuss the issues in the manner they are presented.

In their first assigned error, petitioners dispute the dismissal of their petition on the ground of lack of jurisdiction. Contrary to the DARAB's ruling, the matters in issue here do not involve the administrative implementation of the land reform program of the government but concerns the annulment or rescission of deeds of sale pertaining to lands under the administration and disposition of the DAR or LBP as well as EPs, which under the 2009 DARAB Rules of Procedure is within the authority of the DARAB to hear and determine.

It is axiomatic that the jurisdiction of a tribunal, including a quasi-judicial officer or government agency, over the

nature and subject matter of an action is conferred by law and determined by the material allegations set out in the complaint and the character of the relief prayed for, irrespective of whether the petitioner or complainant is entitled to any or all such reliefs.[25] Section 50[26] of Republic Act (R.A.) No. 6657[27], reiterating Section 17[28], Chapter IV of Executive Order (E.O.) No. 229[29], vested in DAR both quasi-judicial authority to adjudicate agrarian reform issues and administrative prerogative to determine matters involving implementation of agrarian laws. In the process of reorganizing the DAR, Executive Order No. 129-A[30] created the DARAB to assume the powers and functions with respect to the adjudication of agrarian reform matters, viz:

"Section 13. Agrarian Reform Adjudication Board - There is hereby created an Agrarian Reform Adjudication Board under the Office of the Secretary. The Board shall be composed of the Secretary as Chairman, two (2) Undersecretaries as may be designated by the Secretary, the Assistant Secretary for Legal Affairs and (3) others to be appointed by the President, upon the recommendation of the Secretary, as members. A Secretariat shall be constituted to support the Board. The Board shall assume the powers and functions with respect to the adjudication of agrarian reform cases under Executive Order No. 229 and this Executive Order. These powers and functions may be delegated to the regional offices of the Department in accordance with rules and regulations to be promulgated by the Board." (Emphasis supplied)

To implement the foregoing provision, Section 1, Rule II of the 1994 DARAB Rules of Procedure, which was the rule in force at the time of the filing of the complaint by petitioners in 1998, identified the specific extent of the DARAB's quasi-judicial powers. It provides, in pertinent part:

Section 1. Primary and Exclusive Original and Appellate Jurisdiction - The Board shall have primary and exclusive jurisdiction, both original and appellate, to determine and adjudicate all agrarian disputes involving the implementation of the Comprehensive Agrarian Reform Program (CARP) under Republic Act No. 6657, Executive Order Nos. 228 and 129-A, Republic Act No. 3844 as amended by Republic Act No. 6389, Presidential Decree No. 27 and other agrarian laws and their implementing rules and regulations. Specifically, such jurisdiction shall include but not be limited to cases involving the following:

x x x

b) The valuation of land, and the preliminary determination and payment of just compensation, fixing and collection of lease rentals, disturbance compensation, amortization payments, and similar disputes concerning the functions of the Land Bank of the Philippines (LBP);

x x xe) Those involving the sale, alienation, mortgage, foreclosure, pre-emption and redemption of agricultural lands under the coverage of the CARP or other agrarian laws;

f) Those involving the issuance, correction and cancellation of Certificates of Land Ownership Award (CLOAs) and Emancipation Patents (EPs) which are registered with the Land Registration Authority; x x x" (Emphasis supplied)

In the present case, a cursory reading of the material allegations in the petition (filed before the PARAD) readily reveals that petitioners ultimately sought the cancellation of respondents-farmer beneficiaries' EPs on two grounds; (1) non-payment of just compensation; and (2) the alleged illegal transfer of the subject land in favor of OBI in violation of the provisions of PD 27. There can also be no quibbling that said EPs were already registered with the LRA. Clearly, the jurisdiction over the subject matter of the case is lodged with the DARAB and the latter erred in ruling that the controversy merely involved administrative implementation of agrarian laws.

Having settled the jurisdictional issue, we shall now proceed to discuss whether the EPs distributed to all respondents-farmer beneficiaries should be cancelled on account of non-payment of just compensation.

Petitioners allege that the subject property was mortgaged with the People's Bank and Trust Company at the time of its coverage under PD 27. However, before they could receive any just compensation for the compulsory acquisition of their land, the same was distributed and registered in the names of respondents-farmer beneficiaries.

Worse, part of the property was even sold to OBI, who, immediately caused the release of the mortgage upon payment of the outstanding balance of the loan without their knowledge and consent. Such outright taking, petitioners posit, was a clear injustice inflicted on their rights as owners because they were deprived of their property without due process of law. They maintain that until full payment is done, the title and ownership should remain with them. Petitioners also claim that they were denied the opportunity to question the sufficiency of the amount being offered as just compensation.

The argument fails to persuade. PD 27 was anchored upon the fundamental objective of addressing valid and legitimate grievances of land ownership giving rise to violent conflict and social tension in the countryside.[31] It called for reformation to start with the emancipation of the tiller from the bondage of the soil[32] and encourage a more productive agricultural base of the country's economy. To achieve this end, the decree laid down a system for the purchase by small farmers, long recognized as the backbone of the economy, of the lands they were tilling.[33] Nevertheless, such emancipation does not come free for the farmers who were supposed to benefit from said decree. Indeed, a reading of the full text of said statute reveals that the transfer of ownership over the lands covered under PD 27 is still subject to particular terms and conditions which must be complied with by the grantee.[34] In this connection, Section 6 of EO 228 provides that ownership of lands acquired under PD 27 may be transferred only after the agrarian reform beneficiary has fully paid the amortizations. Clearly, without full payment of just compensation, there can be no transfer of title from the landowner to the grantee/s.

Here, there is no dispute that petitioners have not received just compensation for the compulsory acquisition of their property. However, the factual circumstances of this case led us to hold that their non-receipt thereof was attributable to their own fault for which respondents-farmer beneficiaries' right to be released from the bondage of the soil should not be held to suffer.

Records disclose that the registration of respondents-farmer beneficiaries' EPs and the issuance of their respective TCTs were made only after a Certification issued by the LBP that it has deposited and earmarked the sum of One Hundred Nineteen Thousand Sixty Two and 3/100 (P119,062.03) Pesos in cash and in LBP bonds as compensation for the parcel of land covered by TCT No. 107852. This certification, which was likewise annotated in the title on January 7, 1993, manifests that respondents-farmer beneficiaries have already complied with the condition of full payment of amortizations.

It is also significant to note that petitioners did not even dispute LBP's assertion that despite being notified of the availability of the funds for compensation, they have not taken steps to submit documentary and other administrative requirements necessary for the release of the full amount which has already been earmarked with the bank. This strengthens the fact that they were aware that their property was subjected to the coverage of the agrarian reform program but just chose to remain passive during the entire proceedings. Hence, their inaction, if not adamant refusal to accept the compensation, should not prejudice the rights of respondents-farmer beneficiaries, who, diligently complied with their duties under the law.

This brings Us to the determination of the validity of the sale between OBI and respondents Rogelio, Cipriano, Celia and Oscar as well as the TCTs issued pursuant to such transaction.

PD 27 expressly proscribe the sale or transfer of any landholding acquired pursuant to said decree except by hereditary succession or if such transfer shall be made in favor of the Government. This prohibition was carried on, albeit relaxed, in the subsequent enactment affecting the land reform program of the government. Section 27 of RA 6657, which provides for the transferability of awarded lands, states:

SEC. 27. Transferability of Awarded Lands. –Lands acquired by beneficiaries under this Act may not be sold, transferred or conveyed except through hereditary succession, or to the government, or to the LBP, or to other

qualified beneficiaries for a period of ten (10) years: Provided, however, That the children or the spouse of the transferor shall have a right to repurchase the land from the government or LBP within a period of two (2) years. x x x

If the land has not yet been fully paid by the beneficiary, the rights to the land may be transferred or conveyed, with prior approval of the DAR, to any heir of the beneficiary or to any other beneficiary who, as a condition for such transfer or conveyance, shall cultivate the land himself. Failing compliance herewith, the land shall be transferred to the LBP which shall give due notice of the availability of the land in the manner specified in the immediately preceding paragraph. x x x (Emphasis supplied)

Clearly, even under RA 6657, lands awarded to beneficiaries under CARP may not be sold, transferred or conveyed for a period of 10 years unless such transfer is to be made (1) through hereditary succession; (2) to the government; (3) to the Land Bank of the Philippines (LBP); or (4) to other qualified beneficiaries. In other words, during the prohibitory 10-year period, any sale, transfer or conveyance of land reform rights is void, except as allowed by law, in order to prevent a circumvention of agrarian reform laws.

In this case, respondents Rogelio, Cipriano, Celia and Oscar sold their respective landholdings to OBI on November 5, 1996 or barely eight (8) years from June 14, 1989, the time the DAR issued their EPs. Undoubtedly, the subject transaction is covered by the prohibition under P.D. No. 27 and R.A. No. 6657. We also note that while the law provides for four exceptions, OBI does not fall under any of those mentioned. Thus, the sale and transfer of rights to the lots executed by the said respondents-farmers beneficiaries is void for falling under the 10-year prohibitory period specified in the law.

Neither can we give any weight to OBI's contention that its title already became indefeasible as the petition was filed only after five years from its registration with the LRA. Notwithstanding the lapse of time and OBI's possession, the latter cannot assert any valid right or title over the landholdings in question because its title springs from a null and void source. It bears stressing that a void contract is equivalent to nothing; it produces no civil effect; and it does not create, modify or extinguish a juridical relation.^[35] Hence, inasmuch as the sale on which OBI anchors its claim is null and void, the invalidity of the TCTs issued in its name pursuant to the said transaction necessarily follows.

What happens then to the landholdings subject of the sale? Will ownership thereto revert back to respondents Rogelio, Cipriano, Celia and Oscar or to herein petitioners?

We both answer in the negative. Jurisprudence dictates that the mere issuance of an EP does not put the ownership of the agrarian reform beneficiary beyond attack and scrutiny. EPs may be cancelled for violations of agrarian laws, rules and regulations.^[36] Incidentally, one of the grounds for cancellation of registered EPs as summarized by DAR Memorandum Order No. 02, Series of 1994 include:

"5. Sale, transfer, lease or other forms of conveyance by a beneficiary of the right to use or any other usufructuary right over the land acquired by virtue of being a beneficiary in order to circumvent the provisions of Section 73 of R.A. No. 6657, P.D. No. 27, and other agrarian laws. However, if the land has been acquired under P.D. No. 27/E.O. No. 228, ownership may be transferred after full payment of amortization by the beneficiary; (Sec. 6 of E.O. No. 228)"

As correctly ruled by the PARAD, the respondents-farmer beneficiaries who sold the lands awarded to them blatantly disregarded the intent and purpose of the agrarian reform laws. In so doing, they proved themselves unworthy of the grace of the government. Accordingly, the EPs granted to respondents Rogelio, Cipriano, Celia and Oscar must perforce be cancelled.

This does not mean however that the lands covered by the cancelled EPs shall be returned to the original owner/s.

Again, We agree with the opinion of the PARAD that the cancellation of the concerned farmer beneficiaries' EPs and annulment of titles in the name of OBI would only afford other qualified farmer beneficiaries a chance to own the subject lots. This is clear from the provisions of the same DAR Memorandum Order No. 02, Series of 1994 which states that apart from ordering the cancellation of EPs, the DARAB may also direct the reallocation of the land to other qualified beneficiaries.

WHEREFORE, the assailed Decision dated September 19, 2011 and January 9, 2012 of the DARAB are hereby ANULLED and SET ASIDE. The decision of the PARAD dated May 3, 2005 is hereby REINSTATED.

SO ORDERED.

Carandang, (Chairman), and Gonzales-Sison, JJ., concur.

- [1] Rollo, pages 17-27
- [2] Id., pages 85-87
- [3] Id., pages 73-79
- [4] Id., per Annotation at the back of TCT. No. 107852, page 90
- [5] Id., pages, 123-125
- [6] Id., pages 126-127
- [7] Id., pages 128-130
- [8] Id., pages 134-136
- [9] Id., pages 149-151
- [10] Id., pages 131-133
- [11] Id., pages 107-108
- [12] Id., pages, 137-139
- [13] Id., pages 140-142
- [14] Id., pages 143-145
- [15] Id., pages 146-148
- [16] Id., Annex "G", pages 93-96
- [17] Id., Annex "H", pages 97-100
- [18] Id., Annex "I", pages 101-104
- [19] Id., Annex "J", pages 109-112
- [20] Id., pages 113-116
- [21] Id., pages 192-194
- [22] Id., page 195

[23] Id., pages 209-211

[24] Id., pages 8-14

[25] Heirs of Santiago Nisperos vs Nisperos-Ducusin, G.R. No. 189570, July 31, 2013

[26] 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).

[27] Comprehensive Agrarian Reform Law, effective June 15, 1988

[28] Section 17. Quasi-Judicial Powers of the DAR – The DAR is hereby vested with quasi-judicial powers to determine and adjudicate agrarian reform matters, and shall have exclusive original jurisdiction over all matters involving implementation of agrarian reform, except those falling under the exclusive original jurisdiction of the DENR and the Department of Agriculture (DA). x x x

[29] Providing the Mechanism for the Implementation of the Comprehensive Agrarian Reform Program, approved July 22, 1987

[30] Modifying Executive Order No. 129 Reorganizing and Strengthening the Department of Agrarian Reform and For Other Purposes, approved on July 26, 1987; declared constitutional in Association of Small Landowners in the Philippines, Inc. v. Secretary of Agrarian Reform, G.R. No. 78742, July 14, 1989, 175 SCRA 343

[31] Pagtalunan vs Tamayo, 183 SCRA 252, 258 (1990)

[32] Torres vs Ventura, 187 SCRA 96

[33] Supra at note 31

[34] Coruña, et.al. vs Cinamin, et.al., G.R. No. 154286, February 28, 2006

[35] Borromeo vs Mina, G.R. No. 193747, June 5, 2013

[36] Mago vs Barbin, G.R. No. 173923, October 12, 2009

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