

**SPOUSES VIC B. MEDINA AND DAISY R. MEDINA, PETITIONERS, VS.
HON. COURT OF APPEALS AND MAYOR ERIBERTO R. RAMOS, SR.,
REPRESENTED BY HIS ATTY.-IN-FACT ERIBERTO J. RAMOS, JR.,
RESP...**

G.R. No. 107595. February 02, 1994

Ponente: DAVIDE, JR., J.

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DAVIDE, JR., J.:

Petitioners urge us to review and set aside, for lack of jurisdiction, the decision of the Court of Appeals in CA-G.R. SP No. 24269,[1] which nullified the order of the reconstituting officer of the Land Registration Authority (LRA) for the reconstitution of certificates of title in the name of petitioners in Administrative Reconstitution Case No. Q-176(90). Petitioners contend that the Court of Appeals is not the “proper court” referred to in Section 10 of R.A. No. 6732[2] which provides that:

“SEC. 10. Any interested party who by fraud, accident, mistake or excusable negligence has been unjustly deprived or prevented from taking part in the proceedings may file a petition in the proper court to set aside the decision [of the reconstituting officer or Register of Deeds] and to reopen the proceedings. The petition shall be verified and must be filed within sixty days after the petitioner learns of the decision but not more than six months from the promulgation thereof.”

The Court of Appeals had held otherwise.

Section 110 of P.D. No. 1529, otherwise known as the Property Registration Decree, abrogated the procedure relative to the administrative reconstitution of lost or destroyed certificates of title prescribed in R.A. No. 26.[3] On 17 July 1989, however, Congress passed R.A. No. 6732. Sections 1, 8, and 9 thereof read as follows:

“SECTION 1. Section 110 of Presidential Decree No. 1529 is hereby amended to read as follows:

‘SEC. 110. Reconstitution of Lost or Destroyed Original of Torrens Title. -- Original copies of certificates of titles lost or destroyed in the offices of Register of Deeds as well as liens and encumbrances affecting the lands covered by such titles shall be reconstituted judicially in accordance with the procedure prescribed in Republic Act No. 26 insofar as not inconsistent with this Decree. The procedure relative to administrative reconstitution of lost or destroyed certificate prescribed in said Act may be availed of only in case of substantial loss or destruction of land titles due to fire, flood or other force majeure as determined by the Administrator of the Land Registration Authority: Provided, That the number of certificates of titles lost or damaged should be at least ten percent (10%) of the total number in the possession of the office of the Register of Deeds: Provided, further, That in no case shall the number of certificates of titles lost or damaged be less than five hundred (500).

Notice of all hearings of the petition for judicial reconstitution shall be furnished the Register of Deeds of the place where the land is situated and to the Administrator of the Land Registration Authority. No order or judgment ordering the reconstitution of a certificate of title shall become final until the lapse of fifteen (15) days from receipt by the Register of Deeds and by the Administrator of the Land Registration Authority of a

notice of such order or judgment without any appeal having been filed by any such officials.’

x x x

Sec. 8. The Administrator of the Land Registration Authority, with the approval of the Secretary of Justice, shall issue rules, regulations, and circulars as may be necessary and appropriate to implement this Act, including but not limited to the following:

(1) The temporary designation of a reconstituting officer or another Register of Deeds;

x x x

SEC. 9. The Land Registration Authority Administrator may review, revise, reverse, modify or affirm any decision of the reconstituting officer or Register of Deeds. Any appeal shall be filed within fifteen days from the receipt of the judgment or order by the aggrieved party.”

Pursuant to Section 8 thereof, the LRA promulgated on 26 July 1989, LRA Circular No. 13 governing administrative reconstitution of original copies of lost or destroyed certificates of title.

The antecedents of this case are summarized in the challenged decision as follows:

“On June 11, 1988, a fire razed the Office of the Register of Deeds of Quezon City and among the documents burned in said fire were the originals of certificates of titles, including T.C.T. No. 159937 and T.C.T. No. 159938 in the name of Mayor Ramos.

On September 12, 1988 Mayor Ramos filed the corresponding applications for the administrative reconstitution of his titles with the Land Registration Authority. His applications were docketed as No. 16,149 for T.C.T. No. T-159937 and No. 16,148 for T.C.T. No. T-159938 and are still pending in the Land Registration Authority.

Sometime in the early part of January, 1991, the son of Mayor Ramos who was administering the two (2) parcels of land in question, Architect Eriberto J. Ramos, Jr., came to know from a friend that certain parties were offering the said two (2) parcels of land for sale. Mayor Ramos, through his counsel, made inquiries and discovered that on January 28, 1991 the Register of Deeds of Quezon City had issued reconstituted titles Nos. RT-14989 and RT-14990 for the said two (2) parcels of land in the names of the spouses Vic Medina and Daisy Medina. Further inquiry revealed that said reconstituted titles had been issued in the name of the Medina spouses by virtue of an Order of the Land Registration Authority in Adm. Reconstitution Case No. Q-176 (90) dated November 2, 1990 signed by Benjamin M. Bustos as Reconstituting Officer.

From the records of the LRA it appeared that the aforecited order was issued because Vic Medina had applications for the reconstitution of T.C.T. No. 159934 and T.C.T. No. 159909 which bore the very same application numbers as that of Mayor Ramos, that is numbers 16,148 and 16,149, respectively. The two (2) parcels of land covered by the said applications of Medina were the very same parcels of land covered by T.C.T. No. 159937 and T.C.T. No. 159938 in the name of Mayor Ramos which were the subject of the latter’s application for reconstitution, as shown by the fact that the lands had the very same technical descriptions.

In February, 1991 Mayor Ramos filed this petition before this Court seeking the annulment of the Order of reconstitution dated November 2, 1990, on the ground that the same had been procured through fraud (apparently referring only to the reconstituted titles RT-14989 and RT-14990 in the names of the spouses Vic and Daisy Medina), and the cancellation of the reconstituted titles issued to the Medina spouses.

In view of these developments, Atty. Bustos recommended that the genuineness of the titles involved be verified and that the corresponding investigation be conducted by the National Bureau of Investigation, with a view of criminally prosecuting those who may be responsible for the submission of spurious owner’s

duplicates of title.

The investigation in the LRA was conducted by Atty. Loreto Orense, Assistant Division Chief of the Inspection and Investigation Division, upon orders of LRA Administrator Teodoro Bonifacio. In the said investigation the Medina spouses did not appear, nor did they submit the documents they were required to produce. On the other hand, Mayor Ramos submitted all the required documents.

Atty. Loreto Orense submitted a written report dated May 16, 1991 to the Administrator of the LRA on the results of his investigation. In said report it appears that T.C.T No. 159909 and T.C.T. No. 159934, in the name of Vic Medina, were not included in the folders received by the LRA from the Registry of Deeds of Quezon City and that in fact no application for reconstitution of titles was filed by said Medina in the Registry of Deeds of Quezon City; and that the titles of Medina were merely surreptitiously included in the files of applications for inclusion in the order for reconstitution.

The investigator Orense submitted the following observations which, he said, further substantiate his findings that the titles of Medina are of doubtful authenticity:

'a) Medina's Application for Reconstitution (Nos. 16,148 and 16,149) for TCTs Nos. 159934 and 159909 merely adapted [sic] the Ramos' Applications for Reconstitution for TCTs Nos. 159937 and 159938.

b) The descriptions of the lands including other data, in TCTs Nos. 159909 and 159934 in the name of Medina are merely copied from TCTs Nos. 159937 and 159938. However, in Medina's titles it is made to appear that theirs were issued on 3 December 1970.

c) Medina's purported Tax Declarations for TCTs 159909 and 159934 are identical to Ramos' Tax Declarations Nos. B-123-00105 and B-123-000102.

d) Medina's Tax Receipts Nos. G-1094644 and G-1094645 are identical to Ramos' Tax Receipts Nos. G-1094544 and G-1094545. The erasures in Medina's Receipts are obvious. The fifth digit in Tax Receipt No. G-1094544 was erased and changed it from '5' to '6'. The fifth digit in Tax Receipt No. G-1094945[4] was erased and changed it from '5' to '6'.

e) The owner's duplicate TCT No. 159934 in the name of Vic Medina show[s] erasures or tampering in last digit of the title number, last digit of the page number (located at the upper right corner of the title) and date of issuance. The number '4' in TCT No. 159934 is merely superimposed and also the number '4' in Page 134 is likewise superimposed. The day '3rd' in the date of issuance is also superimposed. (See Annex 'RR')

f) In the same manner, the last two digits in TCT No. 159909 are superimposed after erasing the numbers therein. The numbers in 'Page 109' at the upper right corner of said title are likewise superimposed after erasing the numbers appearing therein. Also, the day '3rd' in the date of issuance is superimposed (see Annex 'SS').'

In his report Orense himself further recommended, among others, that:

'1) An action be filed in court for the annulment of Order dated November 2, 1990 in 'Administrative Reconstitution [Case] No. Q-176(90) of Reconstituting Officer Benjamin Bustos, for the reconstituting of the questionable TCTs Nos. 159934 and 159909 in the name of Vic Medina. The reconstituted TCTs Nos. RT-14989 (159934) and RT-14990 (159909) should likewise be annulled.

2) The applications for Reconstitution (Nos. 16,148 and 16,149) of Eriberto Ramos for TCTs 159937 and 159938 be given due course after the declaration of the nullity of Medina's titles.'"[5]

It likewise appears that on 14 February 1991 the private respondent had filed with the National Bureau of Investigation (NBI) his own complaint against Vic Medina for falsification of documents.[6]

The petition in CA-G.R. SP No. 24269 was filed on 26 February 1991[7] and is anchored on Section 10 of R.A.

No. 6732 and Section 18 of LRA Circular No. 13. The Medinas and the LRA submitted their respective comments on the petition.[8]

The Court of Appeals conducted a full-blown hearing on the petition. Ramos presented testimonial and documentary evidence while the Medinas opted not to present any. On 10 June 1992, the Court of Appeals promulgated the challenged decision granting the petition and setting aside the order of reconstitution of 2 November 1990 insofar as it involves the application of Vic Medina. The pertinent portions thereof read as follows:

“Considering all the foregoing, it is very evident that the reconstituted titles, T.C.T. No. RT--14989 and T.C.T. No. RT-14990 in the names of Vic and Daisy Medina were fraudulently procured through a clever scheme involving a sophisticated system of forgeries, erasures, intercalations, and other means. The LRA itself confirms that this is the fact and has thus recommended the filing of a case to annul the questioned order of reconstitution. (This petition though, had already been filed even before the investigation report of Atty. Orense was submitted to and approved by the Administrator of the LRA).

We find no merit in the position of the Solicitor General that this action is premature allegedly because the applications for reconstitution of titles filed by Mayor Ramos are still pending before the LRA. The fact is that the very two (2) parcels of land subject of the applications of Mayor Ramos have in the meantime been titled in the names of the Medina spouses who have even put up the properties for sale. There is no question that this action is called for and that Mayor Ramos, as ‘an interested party who by fraud, accident, mistake or excusable negligence has been unjustly deprived or prevented from taking part in the proceedings’ in the LRA involving the ‘applications’ of Vic Medina, has the right to file this petition in the proper court to set aside the questioned order of reconstitution. (Section 10, R.A. 6732; Section 18, LRA Circular No. 13).

WHEREFORE, the Order dated November 2, 1990 in Administrative Reconstitution Case No. Q-176(90) of the respondent Land Registration Authority is hereby ANNULLED AND SET ASIDE, insofar as it orders the reconstitution of T.C.T. No. 159934 and 159909 in the names of Vic Medina and Daisy R. Medina, and the Register of Deeds of Quezon City is hereby ordered to cancel the reconstituted titles issued by him pursuant to said Order, which are T.C.T. No. RT-159937 and T.C.T. No. 159938, in the names of Vic Medina and Daisy R. Medina.”[9]

The Medinas moved for a reconsideration of the decision,[10] questioning for the first time the jurisdiction of the Court of Appeals to hear and decide the petition and assailing the propriety of the annulment of their reconstituted certificates of title and the basis of its findings that their reconstituted titles were fraudulently procured. In its Resolution of 15 October 1992,[11] said Court denied the motion and upheld its jurisdiction to entertain the petition thus:

“As correctly argued by the petitioner [Ramos] in his opposition this Court has jurisdiction to entertain the present case not only under B.P. Blg. 129 but also under R.A. 6732 and L.R.A. Circular No. 13. The Supreme Court has likewise affirmed this power of the Court of Appeals to entertain appeals from the decisions of quasi-judicial agencies, among which is the Land Registration Authority under its Circular No. 1-91 prescribing the rules governing such appeals.

The arguments in support of the second and third grounds invoked by the private respondents as hereinabove cited are but a rehash of those pleaded in their comment to the petition in this case and have been adequately taken into consideration in the decision rendered.

WHEREFORE, the Motion for Reconsideration filed by the private respondents is DENIED.”

Hence this petition.

The Medinas assail the jurisdiction of the Court of Appeals to hear and decide the petition in CA-G.R. SP No.

24269. They claim that both R.A. No. 6732 and LRA Circular No. 13 do not provide that the recourse from an order for reconstitution should be to the Court of Appeals but merely provide that the recourse should be to the proper court. They argue that in conformity with our ruling in *Lupangco vs. Court of Appeals*,^[12] such recourse should be to court of general jurisdiction, i.e., the Regional Trial Court, pursuant to Section 19 (1) and (6) of B.P. Blg. 129. They also contend that the Court of Appeals erred in taking cognizance of the petition because it has no original jurisdiction to annul orders of quasi-judicial bodies. While conceding that the Court of Appeals has appellate jurisdiction over final decisions and orders of quasi-judicial bodies, they submit that the questioned order for reconstitution is not a final order within the contemplation of Section 9 (2) and (3) of B.P. Blg. 129 since the order for mass reconstitution in this case was issued by the LRA in the exercise of its administrative (and not quasi-judicial) powers and functions.

We required the respondents to comment on the petition.

In their Comment filed on 13 April 1993,^[13] the private respondent maintains that the petition he filed with the Court of Appeals is not an appeal but a petition under Section 10 of R.A. No. 6732 to set aside the order of reconstitution; he opines that the *Lupangco* case is not squarely applicable because it merely involved a resolution rendered by the Professional Regulation Commission in the exercise of its administrative, rather than quasi-judicial, functions; and he further argues that it is the Court of Appeals, and not the Regional Trial Court, which has the jurisdiction to review the decisions and final orders of quasi-judicial bodies under B.P. Blg. 129 because the Regional Trial Court is a co-equal body of the LRA pursuant to Section 5 of P.D. No. 1529 which vests upon the LRA Commissioner the rank, compensation, and privileges of a Judge of the Court of First Instance (now Regional Trial Court). The latter then is without power to interfere with the LRA's judgments, orders, or decrees.^[14] As to the matter of exhaustion of administrative remedies, he alleges that the rule thereon does not apply because the questioned order of the LRA is patently illegal and the Medinas have not even bothered to deny the overwhelming evidence that they employed systematic fraud and misrepresentation to secure the reconstituted certificates of title.

Thereafter the petitioners filed a Reply to the Comment of the private respondent^[15] to which the private respondent filed a Rejoinder.^[16]

In our Resolution of 8 September 1993, we gave due course to the petition and required the parties to file their respective memoranda, which they complied with.

There is merit in the petition.

We agree with petitioners that the Court of Appeals is not the "proper court" referred to in Section 10 of R.A. No. 6732 and therefore has no jurisdiction to nullify the reconstitution of the certificates of title in favor of the Medinas.

Insofar as the administrative reconstitution of original copies of certificates of title are concerned, R.A. No. 6732 provides for two remedies to an aggrieved party, namely: (a) an appeal from the order or decision of reconstitution issued by the Reconstituting Officer or Register of Deeds^[17] to the LRA Administrator who may review, revise, reverse, modify, or affirm it under the first sentence of Section 9;^[18] and (b) a petition for review on the ground of fraud, accident, mistake, or excusable negligence filed with the proper court under Section 10.^[19]

Pursuant to the second sentence of Section 9, the decision of the LRA may be appealed "within fifteen days from the receipt of the judgment or order by the aggrieved party." Such appeal can only be to the Court of Appeals pursuant to Section 9 (3) of B.P. Blg. 129^[20] which reads:

“SEC. 9. Jurisdiction. -- The Intermediate Appellate Court shall exercise:

x x x

(3) Exclusive appellate jurisdiction over all final judgments, decisions, resolutions, orders or awards of Regional Trial Courts and quasi-judicial agencies, instrumentalities, boards or commissions, except those falling within the appellate jurisdiction of the Supreme Court in accordance with the Constitution, the provisions of this Act, and of subparagraph (1) of the third paragraph and subparagraph (4) of the fourth paragraph of Section 17 of the Judiciary Act of 1948.”

and paragraph 16 of the Interim or Transitional Rules and Guidelines Relative to the Implementation of B.P. Blg. 129[21] which reads:

“16. Cases reviewable by the Intermediate Appellate Court. -- The Intermediate Appellate Court may review final decisions, orders, awards or resolutions of regional trial courts and of all quasi-judicial bodies except the Commission on Elections, the Commission on Audit, the Sandiganbayan, and decisions issued under the Labor Code of the Philippines and by the Central Board of Assessment Appeals.”

In the instant case, no appeal could have been brought to the Court of Appeals because the order or decision involved is not that of the LRA but of the reconstituting officer. The Court of Appeals was then in error when it sustained its jurisdiction over the petition. Nor may the original jurisdiction of the Court of Appeals to annul judgments be invoked since Section 9 (2) of B.P. Blg. 129 refers only to “judgments of Regional Trial Courts,” and not of any other court, tribunal, or quasi-judicial body.

The apparently more difficult question is the meaning of the term “proper court” in Section 10 of R.A. No. 6732. Does it refer to the Regional Trial Court or to the Court of Appeals? Here again it bears stressing that the subject of the petition for review brought under Section 10 of R.A. No. 6732 is not a decision of the LRA, but an order of reconstitution of the Reconstituting Officer. For this reason alone, we do not share the view of the private respondent that since the LRA is co-equal to the Regional Trial Court, the petition should be filed with the Court of Appeals. For another, the mere fact that Section 5 of P.D. No. 1529 vests upon the LRA Administrator the rank, compensation, and privileges of a Judge of the Regional Trial Court does not make the LRA co-equal in rank or category to the Regional Trial Court. The elevation of the rank of the head of an office to that of another holding a higher position does not necessarily carry with it a similar elevation of the rank of the former office. This is especially so in regard to matters involving jurisdiction which must be expressly conferred by the Constitution or by the legislature through the Judiciary Act or special laws.[22] Except for settled exceptions -- which we do not find in this case -- jurisdiction cannot be conferred by the will, consent, act, or estoppel of the parties.[23] Accordingly then, the proper court referred to in said Section 10 could only mean the Regional Trial Court, a court of general jurisdiction, which, pursuant to Section 19 (1), (2), and (6) of B.P. Blg. 129, has exclusive original jurisdiction:

“(1) In all civil actions in which the subject of the litigation is incapable of pecuniary estimation;

(2) In all civil actions which involve the title to, or possession of, real property, or any interest therein, except actions for forcible entry into and unlawful detainer of lands or buildings, original jurisdiction over which is conferred upon Metropolitan Trial Courts, Municipal Trial Courts, and Municipal Circuit Trial Courts;

x x x

(6) In all cases not within the exclusive jurisdiction of any court, tribunal, person or body exercising judicial or quasi-judicial functions;”

Even the LRA is apparently of the opinion that the proper court referred to in Section 10 of R.A. No. 6732 is not

the Court of Appeals. The title of Section 18 of LRA Circular No. 13 (the parallel provision of Section 10 of R.A. No. 6732) is "Recourse to Courts," and said section reads in full as follows:

"18. Recourse to the Courts. -- Any interested party who by fraud, accident, mistake or excusable negligence has been unjustly deprived or prevented from taking part in the proceedings may file a petition in the proper court to set aside the decision and to reopen the proceedings. The petition shall be verified and must be filed within sixty (60) days after the petitioner learns of the decision but not more than six (6) months from the promulgation thereof."

If the LRA had in mind the Court of Appeals, the title should have read Recourse the Court of Appeals, or Recourse to the Courts should have read Recourse to the Court since there is only one Court of Appeals. Also, in his report, which is quoted in the challenged decision, Atty. Loreto Orense of the LRA recommended, inter alia, the filing in court of a petition to annul the questioned order of reconstitution. No other than a Regional Trial Court could have been in the mind of Atty. Orense.

Lupangco vs. Court of Appeals[24] is instructive. In that case, a resolution of the Professional Regulations Commission which provided that:

"No examinee [in the licensure examinations for accountancy] shall attend any review class, briefing, conference or the like conducted by, or shall receive any hand-out, review materials, or any tip from any school, college or university, or any review center or the like or any reviewer, lecturer, instructor, official or employee of any of the aforementioned or similar institutions during the three days immediately preceding every examination day including the examination day."

was questioned directly before the Court of Appeals. We held therein:

"Upon the other hand, there is no law providing for the next course of action for a party who wants to question a ruling or order of the Professional Regulations Commission. x x x Consequently, Civil Case No. 86--37950, which was filed in order to enjoin the enforcement of a resolution of the respondent Professional Regulations Commission alleged to be unconstitutional, should fall within the general jurisdiction of the Court of First Instance, now the Regional Trial Court." [25]

Consistent therewith and considering the absence of an explicit provision in R.A. No. 6732 as to the court where relief may be sought from the orders of the reconstituting officer in an administrative reconstitution under Section 10 thereof, the proper court, must then be deemed to be a court of general jurisdiction, i.e., the Regional Trial Court, not only under numbers 1 and 6, but also under number 2, Section 19 of B.P. Blg. 129.

We are unable to agree with petitioners' contention that the private respondent cannot file an action in court while his applications for reconstitution were pending with the LRA because of the rule on exhaustion of administrative remedies. The private respondent need not wait for an order granting or denying his applications for reconstitution because after staking a claim of ownership over the lots now covered by the reconstituted titles allegedly obtained by petitioners through fraud, the private respondent became an "interested party" and is thus expressly allowed to seek direct recourse to the proper court under Section 10 of R.A. No. 6732.

WHEREFORE, the petition is GRANTED. The decision of the Court of Appeals in CA-G.R. SP No. 24269 is declared NULL and VOID for want of jurisdiction and is hereby SET ASIDE, without prejudice to the right of the private respondent to file the proper action with the appropriate Regional Trial Court.

No pronouncement as to costs.

SO ORDERED.

Cruz, (Chairman), Bellosillo, Quaison, and Kapunan, JJ., concur.

[1] Original Records (OR), 472-481; Annex “H” of Petition; Rollo, 85-94. Per Associate Justice Salome A. Montoya, concurred in by Associate Justices Reynato S. Puno and Celso L. Magsino.

[2] Entitled “An Act Allowing Administrative Reconstitution of Original Copies of Certificates of Titles Lost or Destroyed Due to Fire, Flood and other Force Majeure, Amending for the Purpose Section One Hundred Ten of Presidential Decree Numbered Fifteen Twenty-Nine and Section Five of Republic Act Numbered Twenty-Six.”

[3] Entitled “An Act Providing a Special Procedure for the Reconstitution of Certificate of Title Lost or Destroyed,” which was approved on 25 September 1946.

[4] Should be G-1094545.

[5] Rollo, 86-89.

[6] OR, 140-143.

[7] Id., 1-9; Annex “C” of Petition; Rollo, 38-46. Impleaded as respondents were the Land Registration Authority, Atty. Benjamin Bustos (the reconstituting officer), and the Spouses Vic and Daisy Medina.

[8] Annexes “D” and “F” of Petition; Rollo, 47-50 and 70-78, respectively.

[9] Decision, 9-10; Rollo; 93-94.

[10] Rollo, 95-99.

[11] Annex “K” of Petition; Rollo, 106-107.

[12] 160 SCRA 848 [1988].

[13] Rollo, 143-163. The Office of the Solicitor General was excused from filing a comment in the Resolution of 29 March 1993.

[14] Rollo, 154. Citing *Kaisahan ng mga Manggagawa sa La Campana vs. Caluag*, 2 SCRA 806 [1961]; *Regalado vs. Provincial Commander of Negros Occidental*, 3 SCRA 503 [1961]; *Hacbang vs. The Leyte Autobus Co.*, 8 SCRA 103 [1963]; *Poblete Construction Co. vs. Social Security Commission*, 10 SCRA 1 [1964].

[15] Id., 167-175.

[16] Id., 185-199.

[17] The Register of Deeds must be that of another registry. Per Section 8(1) of R.A. No. 6732 and Sections 7 and 8 of LRA Circular No. 13.

[18] See also Section 9, LRA Circular No. 13.

[19] See also Section 18, Id.

[20] The Judiciary Reorganization Act of 1980.

[21] See also Supreme Court Circular No. 1-91 prescribing the rules governing the appeal.

[22] QUIASON, C.D., Philippine Courts and Their Jurisdictions, 1986 ed., 26, citing several cases.

[23] Id., 31.

[24] Supra.

[25] Supra, at 853.

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