

**LAGUNA ESTATES DEVELOPMENT CORPORATION, PETITIONER, VS.
HONORABLE COURT OF APPEALS, DEPARTMENT OF AGRARIAN
REFORM ADJUDICATION BOARD (DARAB), DIRECTOR-GENERAL OF
THE PHILIPPINE ...**

G.R. No. 119357. July 05, 2000

Ponente: PARDO, J.

Read online (full-text search, related cases, audio case brief): <https://batas.org/library/g-r-no-119357/>

PARDO, J.:

These are consolidated cases[1] and are decided jointly. They are the separate appeals of petitioners from the same decision of the Court of Appeals[2] in two original petitions consolidated and jointly decided because they involved the same questions of law and fact.

The first petition[3] is an appeal by Laguna Estates Development Corporation from the decision of the Court of Appeals dismissing its petition to nullify the order of the Department of Agrarian Reform Adjudication Board (DARAB) ruling that it has jurisdiction to grant private respondents a right of way over petitioner's private roads within its landholdings.

The second petition[4] is an appeal by Canlubang Sugar Estate from the same decision of the Court of Appeals, dismissing its petition to prohibit the DARAB from conducting further proceedings in the DARAB case including petitioner as one of the parties that DARAB ordered to grant a right of way over private road lots within the property of petitioners and not to impede the free access thereto under penalty of contempt.

The facts, as found by the Court of Appeals, are as follows:

"On 12 December 1989, some 234.76 hectares of agricultural land situated in Barangay Casile, Cabuyao, Laguna belonging to the Sta. Rosa Realty Development Corporation ("SRRDC", hereafter) was placed by the Department of Agrarian Reform (DAR), through its adjudicatory arm, public respondent DARAB, under the compulsory acquisition scheme of the Comprehensive Agrarian Reform Program (CARP), and subsequently, Certificates of Land Ownership Award (CLOA's) numbered 00130422, 00130423 and 00130424 with TCT Nos. C-168, C-167 and C-169 334 were issued and award to farmers-beneficiaries, private respondents herein, namely: Rosa T. Amante, et al., Rogelio O. Ayende, et al. and Juan T. Amante, et al., respectively. The compulsory acquisition and distribution of the said 234.76 hectares of land in favor of private respondents were effected by virtue of the Decision dated 19 December 1991 issued by public respondent DARAB in DARAB Case No. JC-R-IV-LAG-0001-00, entitled "Juan T. Amante, et al. vs. Sta. Rosa Realty Development Corp."

"It appears that the aforesaid agricultural lands in Bgy. Casile, Cabuyao, Laguna are isolated and/or separated from the rest of the municipality of Cabuyao, and the only passage way or access road leading to said private respondents' agricultural lands is the privately owned road network situated within the premises of petitioners CSE and LEDC. Subject to reasonable security regulations, the subject road network is open to the public. But after private respondents were awarded the aforesaid agricultural lands under the CARP Law, petitioners CSE and LEDC prohibited and denied private respondents from utilizing the subject road network, thereby

preventing the ingress of support services under the CARP Law, provisions for daily subsistence to, and egress of farm produce from, Bgy. Casile where the farmlands awarded to private respondent are located.

"On motion by private respondents, an Order dated 25 May 1993 was issued by public respondent (DARAB) in DARAB Case No. JC-R-IV-0001-00, directing the unhampered entry and construction of support services coming from the national government, and other provisions for the use and benefit of private respondents in Bgy. Casile, and giving private respondents a right of way over the subject road network owned by petitioners. The decretal portion of the said order reads:

"Order is given to the Philippine National Police (PNP) in coordination with the Municipal Agrarian Reform Officer (MARO) for Cabuyao, Laguna, the Provincial Agrarian Reform Officer (PARO) for Laguna, and the DAR Regional Office to ensure that support services like farm to market roads and training center for the CARP beneficiaries of Barangay Casile, Municipality of Cabuyao, Province of Laguna coming from the National Government are allowed to be constructed unhampered, agricultural products like pineapple, coconut and papaya fruits, vegetables, corn and palay of said beneficiaries [private respondents] are given free access to the markets and construction materials for their homes and provisions for their daily subsistence are allowed to enter Barangay Casile using the access roads as herein indicated Annex `A' which forms part of this Order and that lives of the said beneficiaries are protected from harm especially while travelling to and from Barangay Casile." (Underscoring Ours)

"The implementation of the aforesaid 25 May 1993 order of public respondent, however, was opposed and prevented by petitioners CSE and LEDC claiming that the subject road network belong to petitioners and C. J. Yulo & Sons, Inc. and not to SRRDC, and therefore, is not covered by the said Order.

"On 22 June 1993, private respondents filed a "motion to amend order", praying that petitioners CSE and LEDC, as well as C. J. Yulo & Sons, Inc., be impleaded in the above-mentioned Order dated 25 May 1993 of public respondent so that said order can be properly implemented.

"On 8 July 1993, public respondent DARAB issued an Order also dated 8 July 1993 requiring petitioners CSE and LEDC to submit their respective comments on private respondents' aforesaid motion to amend the 25 May 1993 order of public respondent in DARAB Case JC-R-IV-LAG-0001-00. Attached in said order are copies of public respondent DARAB's Order dated 25 May 1993 and private respondents' said "motion to amend order".

"Petitioner LEDC responded to public respondent's Order dated 8 July 1993 by sending a letter dated 15 July 1993 to public respondent, while petitioner CSE filed its "Opposition To Amend Order" dated 15 July 1993 to private respondents' aforesaid "motion to amend order", to while private respondents filed a "Consolidated Comment".

"On 21 September 1993, public respondent DARAB sent a "Notice of Hearing and Summons" to petitioners CSE and LEDC, directing them to appear for hearing on 1 October 1993 before public respondent DARAB.

"Petitioner LEDC nor its counsel failed to appear at the aforementioned scheduled hearing, but it filed a "Special Appearance to Quash Summons" and later, an "Amended Special Appearance to Quash Summons", for the "sole purpose of objecting to its [public respondent DARAB] jurisdiction and quashing the summons" in the aforementioned DARAB Case, allegedly "for having been issued unlawfully, arbitrarily and with grave abuse of discretion."

"During the hearing, petitioner CSE manifested that public respondent DARAB has no jurisdiction over the subject matter, and that it did not acquire jurisdiction over the person of petitioner.

"After hearing the arguments and manifestation of the parties present thereat, public respondent directed private respondents to file their final memorandum, and petitioner CSE, to submit its final reply or comment thereon.

Only private respondents complied.

"On 7 October 1993, petitioner CSE instead filed the present petition for prohibition praying for the issuance of temporary restraining order or writ of preliminary injunction commanding public respondent DARAB to desist from conducting further proceedings in the aforesaid DARAB Case NO. JC-R-IV-0001-00, and a writ of prohibition commanding said public respondent to permanently desist from conducting further proceedings in said DARAB Case. Said petition was docketed as CA-G. R. SP No. 32257 and raffled to the Fifth Division of this Court.

"On 4 November 1993, petitioner CSE amended its petition by impleading private respondents herein, in compliance with this Court's resolution dated 18 October 1993.

"In the meanwhile, after evaluating the respective positions of the petitioners and private respondents herein, public respondent DARAB issued its assailed Order dated 23 November 1993 (pp. 119-135, Rollo) in DARAB Case No. JC-R-IV-0001-00, re-affirming the efficacy of its Order dated 25 May 1993 and directing petitioners not to impede the complete implementation of the 25 May 1993 Order of the same public respondent DARAB, thus:

"WHEREFORE, premises considered, the efficacy of the Order of this Board dated May 25, 1993, remains valid. Accordingly, the Laguna Estates Development Corporation and the Canlubang Sugar Estate are hereby ordered not to impede, under paid of contempt, the complete implementation of the Order of this Board dated May 25, 1993 and this Order.

"In reiteration, the Philippine National Police x x x is hereby deputized x x x to implement the Board's Order so that Petitioners [private respondents herein] are allowed to transport their agricultural products and the National government, NGOs and the Church are allowed to extend life-sustaining support services like credit facilities, construction of training centers, school buildings, farm-to-market roads and even chapels and churches using the so-called 'M-1 Gate or China Gate' and the roads outlined in Annex 'A' of the Order dated May 25, 1993.

"The board further takes notices of the efforts of the Department of Agrarian Reform to acquire another right of way that is less prejudicial to the respondents herein [petitioners herein], and may upon proper motion dissolve (sic) this present order, in the event that such other right of way should materialize in the future".

"On 26 November 1993, We issued a resolution in CA-G. R. SP No. 32257 directing herein respondents to submit their respective comments on the amended petition of petitioner CSE, and the latter, to file its reply thereto, and thereafter, the petition shall be deemed submitted for resolution. In the meanwhile, a temporary restraining order was issued directed to public respondent DARAB requiring it to desist from conducting further proceedings in the aforementioned DARAB Case.

"On even date, petitioner CSE filed with this Court an "Urgent Motion For Restraining Order and/or Writ of Preliminary Injunction" (Rollo, pp. 109-117) to enjoin public respondent DARAB and/or its representatives or persons acting for and its behalf from conducting further proceedings in the aforementioned DARAB case, and from enforcing or implementing the assailed Order dated 23 November 1993 of public respondent DARAB.

"On 1 December 1993, petitioner LEDC filed its present petition for certiorari and prohibition which seeks to annul the aforesaid Order dated 23 November 1993 of public respondent DARAB, and to prohibit respondents herein or persons acting on their behalf from implementing or enforcing said order. The petition was docketed as CA-G. R. SP No. 32709 and was originally raffled to the Sixth Division of this Court.

"On 7 December 1993, the Sixth Division of this Court issued a resolution in CA-G.R. SP No. 32709, directing the herein respondents, including the Director General of the PNP, to file their respective comments on the

petition, and in the meantime, a temporary restraining order was issued directing all respondents and all persons and entities acting on their behalf to cease and desist from enforcing against petitioner LEDC the Order dated 23 November 1993 of public respondent DARAB in the aforementioned DARAB Case.

"As heretofore stated, in a resolution dated 4 February 1994 issued by the Sixth Division of this Court, both petitions were consolidated and assigned to this Court's Fifth Division for decision on the merits.

"The dispute between the petitioners and private respondents started when the former denied or prohibited the latter to use the subject road network leading to the farmlands of private respondents in Bgy. Casile. This spawned the issuance of public respondent DARAB's order dated 25 May 1993 which directed the PNP in coordination with the DAR regional, provincial and municipal offices to ensure the unhampered entry and construction of support services for the benefit of private respondents free access to the subject road network to allow the entry of construction materials, daily subsistence provisions in their farmlands and the exit of their farm produce going to the markets. This was followed by the assailed order dated 23 November 1993 reiterating the efficacy of its earlier 25 May 1993 order and directing petitioners not impede the complete implementation of both orders of public respondent DARAB."[5]

On the basis of the foregoing facts, on November 10, 1994, the Court of Appeals rendered its decision that denied and/or dismissed both petitions.[6]

Hence, the present recourse.[7]

The issue raised is whether the DARAB has jurisdiction to grant private respondents who are beneficiaries of an agrarian reform program or tenants of adjoining landholdings a right of way over petitioners' network of private roads intended for their exclusive use.

We resolve the issue in favor of petitioners. The DARAB has no jurisdiction over such issue. "For DARAB to have jurisdiction over a case, there must exist a tenancy relationship between the parties."[8] In *Heirs of Herman Rey Santos vs. Court of Appeals*,[9] citing *Morta, Sr. vs. Occidental*,[10] we held :

"For DARAB to have jurisdiction over a case, there must exist a tenancy relationship between the parties. In order for a tenancy agreement to take hold over a dispute, it would be essential to establish all its indispensable elements to wit: 1) that the parties are the landowner and the tenant or agricultural lessee; 2) that the subject matter of the relationship is an agricultural land; 3) that there is consent between the parties to the relationship; 4) that the purpose of the relationship is to bring about agricultural production; 5) that there is personal cultivation on the part of the tenant or agricultural lessee; and 6) that the harvest is shared between the landowner and the tenant or agricultural lessee."[11]

Obviously, the issue of a right of way or easement over private property without tenancy relations is outside the jurisdiction of the DARAB. This is not an agrarian issue. Jurisdiction is vested in a court of general jurisdiction.[12]

WHEREFORE, the Court REVERSES and SETS ASIDE the decision of the Court of Appeals in CA-G. R. SP No. 32257 & CA-G. R. SP No. 32709 promulgated on November 10, 1994. The Court declares NULL and VOID DARAB's order dated November 23, 1993, in DARAB Case No. JC-R-IV-LAG-0001-00. Respondent DARAB is permanently enjoined from conducting further proceedings in said case.

No costs.

SO ORDERED.

Davide, Jr., C.J., (Chairman), Puno, and Kapunan, JJ., concur.
Ynares-Santiago, J., no part.

[1] G. R. No. 119375, Resolution adopted on July 31, 1995, Rollo, pp. 140-141.

[2] In CA-G. R. SP Nos. 32257 & 32709, Francisco, C. J., ponente, Santiago and Salas, JJ., concurring, Petition, Annex "A" (G. R. No. 119357), Rollo, pp. 19-33, and Petition, Annex "F" (G. R. No. 119375), Rollo, pp. 94-108.

[3] Docketed as G. R. No. 119357.

[4] Docketed as G. R. No. 119375.

[5] CA Decision, Petition, Annex "A" (G. R. No. 119357), Rollo, pp. 19-33, and Petition, Annex "F" (G. R. No. 119375), Rollo, pp. 94-108.

[6] Ibid.

[7] G. R. No. 119357, filed on March 20, 1995, Rollo, pp. 2-17; G. R. No. 119375, filed on April 20, 1995, pp. 11-56.

[8] *Morta, Sr. vs. Occidental*, 308 SCRA 167, 172 [1999].

[9] G. R. No. 109992, March 7, 2000.

[10] 308 SCRA 167, *supra*.

[11] Ibid.

[12] B. P. 129, Section 19 (6); *Ignacio vs. Court of Appeals*, 246 SCRA 242 [1995].

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.