

DOMINGO CELENDRO, PETITIONER, VS. COURT OF APPEALS AND LEONILA VDA. DE GUEVARRA, RESPONDENTS.

G.R. No. 131099. July 20, 1999

Ponente: PANGANIBAN, J.

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PANGANIBAN, J.:

An administrative agency has no authority to review the decisions, let alone final decisions, of courts. The remedy of the losing litigant is to appeal to the proper court, not to file a petition before a quasi-judicial body.

Statement of the Case

The Petition for Review on Certiorari before us assails the September 25, 1997 Decision^[1] of the Court of Appeals,^[2] which nullified the November 3, 1994^[3] Decision of the Department of Agrarian Reform Adjudication Board (DARAB).^[4] The Court of Appeals disposed as follows:

"WHEREFORE, judgment is hereby rendered giving due course to the petition. The assailed decision of public respondent is nullified.

"[Herein petitioner is] hereby ordered to vacate that portion of land occupied by him and restore possession thereof to [herein private respondent]."

On the other hand, the DARAB ruled:

"WHEREFORE, premises considered, the decision of the Regional Adjudicator dated October 10, 1990 is AFFIRMED.

"Order is hereby given to Respondent-Appellant not to disturb Petitioner-Appellee in his peaceful possession of the landholding in controversy which is covered by Certificate of Land Ownership Award numbered 00018282-Original Certificate of Title No. CLOA -651 issued in favor of Plaintiff-Appellee."

In effect, the DARAB set aside the final and executory Decision of the Municipal Circuit Trial Court (MCTC) of Wao, Bumarán, Lanao del Sur^[5] in Civil Case No. 50^[6] and the September 28, 1987 judgment^[7] of the Regional Trial Court (RTC) of Lanao del Sur affirming the MCTC.

The Facts

As summarized by the Court of Appeals, the undisputed facts of the case are as follows:

"[Private respondent] is the surviving spouse of the late Florencio Guevarra, an awardee of Lot No. 725 PLS, which contains an area of 7.7594 hectares, situated in Barrio Kapinisan, Municipality of Wao, Lanao del Sur. On the basis of a Homestead Patent No. 01418, Original Certificate of Title No. PAF-136 was issued to [private respondent's] late husband, who had been paying taxes due thereon until he died and was succeeded by herein [private respondents].

"In 1963, [petitioner] arrived in Wao, Lanao del Sur coming from Bukidnon Settlement Project, who occupied and tilled two (2) hectares of [private respondent's] property through the latter's tolerance, with the express condition that if and when that portion of the land should be needed by [private respondent], the latter needed

only to demand xxx its return.

"After the death of [private respondent's] husband in 1975, [private respondent] started to demand [petitioner's] eviction, but due to the latter's request for extension, [petitioner] was allowed to stay in said property and till the same. Until finally, on March 15, 1992 [private respondent] wrote a formal demand to vacate the property and restore possession to the [private respondent]. When said demand remained unheeded, a case for unlawful detainer was commenced by petitioner before the Municipal Circuit Trial Court of Wao, Lanao del Sur against [petitioner] docketed therein as Civil Case No. 50.

"During the pendency of said Civil Case No. 50, [private respondent] filed [in the] MCTC a 'Motion for Referral' of subject dispute to the DAR agency, which motion was denied (Annex 'A', petition; pp. 13-18, rollo) on the ground that there was no landlord-tenant relationship between the parties and that the subject lot [was] no longer part of the resettlement area in view of the issuance by the government of title. Said MCTC rendered its decision, the decretal portion of which reads:

'WHEREFORE, judgment is hereby rendered in favor of the plaintiff:

- Declaring the plaintiff as entitled to the restitution of the portion of land occupied by the defendant shown and defined under Exhibit '6' having an area of 4 hectares more or less;
- Ordering the defendant Domingo Celendro to vacate said portion and restore possession thereof unto the plaintiff;
- Ordering the defendant to pay to the plaintiff the sum of One Thousand (P1,000.00) pesos as rent per annum effective March 15, 1982, the date when the complaint was filed and to pay such amount every year thereafter until plaintiff shall have been placed in possession of the lot in controversy;

The defendant however shall be entitled to indemnity from the plaintiff for the reasonable value of such plants as said defendant had introduced into the disputed portion such as coffee, coconut, jackfruit trees, paminta, lanzones, banana, plants, and other permanent plants.

With costs against the defendant.'

(pp. 41-42, Rollo)

Said decision of the MCTC was appealed to the Regional Trial Court of Lanao del Sur, Branch 9, Marawi City, which court affirmed the appealed decision on September 28, 1987 (pp. 43-46, rollo). A subsequent writ of execution of the decision was issued on January 16, 1990.

"Upon learning of the issuance of a writ of execution, private respondent filed a 'Petition to Quiet Title' before the Provincial Adjudication Board (PACB), which office rendered a decision dated October 10, 1990 in favor of private respondent, the dispositive portion of which is hereunder produced:

'WHEREFORE, in view of the foregoing considerations, the respondent is ordered to desist permanently from disturbing the peaceful ownership by the petitioner/complainant over the land which is the subject of controversy[,] to restore the premises including the improvements thereon to the petitioner/complainant in attending at the hearing/conference at the DARAB Office, Marawi City. No attorney's fees may be awarded because, Atty. Dimapuno L. Magangoong, who is a Trial Attorney III of the DAR, Lanao del Sur acted as his counsel.

'The MARO of Wao, Lanao de Sur, DAR Legal Officer, the Station Commander PC/INP, Wao, Lanao del Sur, are hereby deputized to implement this decision. A full report shall be submitted by the deputized officials upon accomplishment of the implementation of this decision.

'SO ORDERED.'

(p. 84, Rollo)

"[Private respondent] questioned said decision rendered by the PAAB before [the] Agrarian Reform Adjudication Board (DARAB), which affirmed PAAB's decision, which was earlier reproduced.

"[Private Respondent's] subsequent Motion for Reconsideration was denied by [the DARAB] in its resolution of August 8, 1996 (p. 97, rollo)."[8]

As earlier noted, the Court of Appeals reversed the DARAB. Hence, petitioner filed this recourse to this Court.[9]

Ruling of the Court of Appeals

The Court of Appeals (CA) held that "the controversy between the parties [was] not one of those which f[e]ll under the jurisdiction of the DAR,"[10] because it did not involve an agrarian dispute or tenurial arrangements. Moreover, in the unlawful detainer case covering the same parcel of land, the DARAB had full knowledge of the judgment rendered by the MCTC of Wao, Lanao del Sur, and the result of the appeal with the RTC. Therefore, the DARAB should not have entertained, much less taken cognizance of, the said case.

The CA also noted the absurdity of the active participation of Petitioner Domingo Celendro in the ejectment case, only to question the jurisdiction of the MCTC and the RTC over the matter after the two courts ruled against him. His remedy was to appeal the Decision of the RTC, not to file an entirely new remedy with the Provincial Agrarian Adjudication Board (PAAB).

In conclusion, the CA ruled that a quasi-judicial body such as the PAAB or the DARAB could not reverse the final decision of a judicial body such as the MCTC or the RTC.

Issues

Petitioner submits, for the consideration of this Court, this lone assignment of error:

"The sole legal issue is whether or not the civil courts (Municipal Court and Regional Trial Court) or the Court of Agrarian Relations or the DAR Adjudication Board ha[ve] jurisdiction over the subject matter."[11]

The Court's Ruling

The Petition is devoid of merit.

Sole Issue:

Jurisdiction of the DAR

The land, which is the subject of the present controversy, is covered by a Certificate of Land Ownership Award (CLOA) issued pursuant to the agrarian reform program of the government in favor of petitioner. He claims that it is not part of but only adjacent to the land owned by the late Florencio Guevarra. Thus, he argues, the MCTC and the RTC exceeded their jurisdiction in ejecting him from his own lot. Also, based on the survey conducted by Engineer Sialana of the Bureau of Lands, the land in question seemed to be part of Lanao del Sur Resettlement Project No. I, not of respondent's registered property. Since the Department of Agrarian Reform has primary jurisdiction over agrarian reform matters, petitioner maintains that the present controversy, which involves a piece of land covered by a CLOA, is cognizable by the DAR.

We disagree. Petitioner cannot question before an administrative body the final decision of the MCTC or the RTC.

The MCTC of Wao, Lanao del Sur, held that the entire land in question was part of Lot No. 725, PLS 727, owned by the Guevarras and covered by Original Certificate of Title No. PAF-136. After the MCTC rendered an adverse judgment against him, petitioner appealed to the RTC, but in vain. He did not challenge the Decision of the RTC before the CA or even this Court. Two years later, when the MCTC had issued a Writ of Execution to enforce its

earlier final and executory Decision, he opted to file a Petition to Quiet Title before the Provincial Agrarian Adjudicatory Board (PAAB), alleging that his landholding was not a part of respondent's property, contrary to the MCTC finding.

We agree with the Court of Appeals that an administrative body such as the PAAB or the DARAB cannot reverse a court's ruling that has long become final.

First, under Rule 39, Section 47 (c) of the Rules of Court,[12] the court's Decision has become conclusive on the parties. They are bound by the matters adjudged and those that were actually and necessarily included therein. Under the doctrine of conclusiveness of judgment, which is also known as "preclusion of issues" or "collateral estoppel," issues actually and directly resolved in a former suit cannot again be raised in any future case between the same parties involving a different cause of action.[13] In other words, petitioner is barred from challenging the pronouncement of the trial court that his alleged lot is within the property of respondents.[14]

Indeed, it has been held that "controlling and irresistible reasons of public policy and of sound practice in the courts demand that at the risk of occasional error, judgments of courts determining controversies submitted to them should become final at some definite time fixed by law, or by a rule of practice recognized by law, so as to be thereafter beyond the control even of the court which rendered them for the purpose of correcting error of fact or of law, into which, in the opinion of the court it may have fallen."[15]

Moreover, the Court has held that "a final judgment vests in the prevailing party a right recognized and protected by law under the due process clause of the Constitution. x x x A final judgment is `a vested interest which it is right and equitable that the government should recognize and protect, and of which the individual could not be deprived arbitrarily without injustice.'"[16] In the present case, the winning party must not be deprived, through a mere subterfuge, of the fruits of a final verdict.

Second, a final judgment cannot be modified by any court, let alone by a quasi-judicial administrative body. It is "immutable and unalterable, and hence may no longer be modified in any respect xxx."[17] Petitioner's normal recourse should have been to appeal the RTC Decision to the CA and then, if necessary, to this Court for review. Because the trial court Decision was already final, it could not, as a rule, be altered or questioned.

More significantly, the Court has held that a final judgment can "no longer be reviewed, or in any way modified directly or indirectly, by a higher court, not even by the Supreme Court, much less by any other official, branch or department of Government."[18] This particular injunction against administrative bodies is based on the principle of separation of powers, which presupposes mutual respect by and between the three departments of the government.[19] The DARAB, which is under the Department of Agrarian Reform in the executive branch, must accord due respect to the MCTC and the RTC, which are both instrumentalities of the judiciary. In any event, the jurisdiction of the DARAB is merely to "determine and adjudicate agrarian reform matters." [20] Nothing in its charter confers upon it the power to review findings of courts.

Third, petitioner has actively participated in the proceedings in the MCTC and even appealed to the RTC. He failed, however, to question either court's jurisdiction over the suit. After relying on the jurisdiction of the regular courts, he cannot be permitted to turn around and question it. This Court has consistently ruled that "it is not right for a party who has affirmed and invoked the jurisdiction of a court in a particular matter to secure an affirmative relief, to afterwards deny that same jurisdiction." [21]

WHEREFORE, the petition is hereby DENIED and the assailed Decision AFFIRMED. Costs against petitioner.

SO ORDERED.

Romero, (Chairman), Vitug, Purisima, and Gonzaga-Reyes, JJ., concur.

[1] Rollo, pp. 16-28.

[2] Special Fourth Division, composed of J. Corona Ibay-Somera, ponente; and JJ. Antonio M. Martinez (a former member of this Court), chairman, and Romeo A. Brawner, member, both concurring.

[3] Rollo, pp. 66-77.

[4] Written by Asst. Sec. Lorenzo R. Reyes and concurred in by Undersecretary Renato B. Padilla, Undersecretary Jose Noel D. Olano, Asst. Sec. Hector D. Soliman, Asst. Sec. Augusto P. Quijano and Asst. Sec. Sergio B. Serrano.

[5] Rollo, pp. 29-52

[6] Written by Judge Arnulfo B. Benitez and promulgated on December 20, 1984.

[7] Written by Judge Amer R. Ibrahim. Rollo, pp. 53-56.

[8] Assailed Decision, pp. 2-5; Rollo, pp. 17-20.

[9] The case was deemed submitted for resolution on May 10, 1999, upon the receipt by this Court of respondent's Memorandum. The petitioner's Memorandum was received on August 25, 1998.

[10] Assailed Decision, p. 5; Rollo, p. 20.

[11] Memorandum for Petitioner, p. 3; Rollo, p. 104.

[12] Formerly Rule 39, Section 49 (c).

[13] *Kilosbayan v. Morato*, 246 SCRA 540, July 17, 1995, citing *Penalosa v. Tuason*, 22 Phil. 303, March 22, 1912; and *Heirs of Roxas v. Galido*, 108 Phil. 582, May 31, 1960.

[14] *Miranda v. CA*, 141 SCRA 302, February 11, 1986.

[15] *In Re: Wenceslao Laureta*, 148 SCRA 382, 417-418, March 12, 1987, per curiam, citing *Luzon Brokerage v. Maritime Bldg.*, 86 SCRA 305, November 16, 1978.

[16] *Insular Bank of Asia and America Employees' Union v. Inciong*, 132 SCRA 663, October 23, 1984, per Makasiar, J. Citations omitted.

[17] *Johnson & Johnson (Phils.), Inc. v. Court of Appeals*, 262 SCRA 298, September 23, 1996, per Panganiban, J.

[18] *In Re: Joaquin Borromeo*, 241 SCRA 405, 457-458, February 21, 1995, per curiam. Italics supplied.

[19] See *Tecson v. Salas*, 34 SCRA 275, July 31, 1970.

[20] Section 50, Republic Act No. 6657. See also Section 13, Executive Order No. 129-A; Rule 2, Revised Rules of Procedure.

[21] *Tijam v. Sibonghanoy*, 23 SCRA 29, 36, April 15, 1968, per Dizon, J. See also *Medija v. Patcho*, 132 SCRA 540, October 23, 1984; *Florendo v. Coloma*, 129 SCRA 304, May 19, 1984.

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