

AGUSTIN PARAISO, ET AL., PLAINTIFFS AND APPELLANTS, VS. JESUS CAMON, DEFENDANT AND APPELLEE.

G. R. No. 13919. September 18, 1959

Ponente: BAUTISTA ANGELO, J.

Read online (full-text search, related cases, audio case brief): <https://batas.org/library/g-r-no-13919/>

BAUTISTA ANGELO, J.:

Plaintiffs brought this action against defendant to recover one-half portion of a lot situated in Bacolod City. Defendant set up the defense that he acquired said lot without knowledge of any defect in the title of the vendor which is a torrens title and that he acquired title thereto unaffected by any lien or encumbrance not noted thereon.

After the parties had submitted a partial stipulation of facts and additional evidence in support of their contentions, the court rendered judgment dismissing the complaint without costs. Plaintiffs appealed from this decision and the case was certified to this Court because it involves purely questions of law.

Plaintiffs claim that the land in question was formerly a portion of Lot No. S91 of the cadastral survey of the City of Bacolod originally belonging to San Sebastian Subdivision owned by Juliana de la Rama. The lot was bought by Agustin M. Paraiso, Sr., father of plaintiffs, on installment basis, and when he died on May 16, 1946, his widow, Anita Vda. de Paraiso, continued paying the installments, having paid the price in full on February 3, 1951. As a consequence, a deed of definite sale was executed in her favor and Transfer Certificate of Title No. 8848 was issued in her name. On September 17, 1954, the widow sold the lot to Jesus Camon for the sum of P4,800.00 on condition that she can repurchase the same within a period of one year, and having failed to redeem it within that period, Camon consolidated his ownership over the property. On this property there was then a two-story building which after the sale was occupied by Camon and his family jointly with one Tomas Exito and his family who occupied the lower floor. Camon later obtained a new title in his name after the widow had executed in his favor an absolute deed of sale.

The principal errors assigned by appellants against the trial court are: (1) in not permitting them to prove with whose money their mother paid the whole price of the lot in question; (2) in not permitting them to prove that their mother did not bring any property to the marriage and had acquired none during and after her marriage was dissolved by the death of her husband; (3) in not permitting them to prove the date when the house standing on the lot in question was constructed; and (4) in not admitting Exhibit D as evidence to show that the lot in question was originally bought by their late father Agustin Paraiso, Sr.

It is the theory of appellants that the lot in question is conjugal in nature because it is their father who initiated its purchase from San Sebastian Subdivision and had paid several installments on account up to the time of his death on May 16, 1946 even if their mother continued paying the installment and paid the price in full on February 3, 1951 when the said subdivision executed a definite deed of sale in her favor. In view of such theory, appellants tried to present evidence to show that a portion of the consideration of the sale was paid by their father and that the rest was paid by their mother out of the Philippine Army, but their attempt was blocked by appellee and his objection was sustained by the trial court. Plaintiffs particularly lay stress on Exhibit D which is a ledger of the

San Sebastian Subdivision wherein are entered the lot in question, the name of the buyer, the payments made on account of the price, the dates of payment and other data pertinent to the transaction which show that the initial payments were made by their late father Agustin Paraiso.

This claim of appellants is not entirely devoid of merit considering the facts which they tried to prove by their evidence which were alleged in their complaint and hence they are entitled to present such evidence under our rules, but we cannot also consider the action taken by the trial court to be erroneous bearing in mind that the lot in question is covered by a torrens title and the same appears issued exclusively in the name of their mother Anita Vda. de Paraiso. It must be noted that the defense of appellee is that he bought the land from said widow in the belief that she was the exclusive owner of the same considering that its title appears issued in her name and there is nothing therein to indicate that it suffers from any lien or encumbrance of any kind. In fact, the objection of appellee to the evidence of appellants on the matter is predicated on such defense and the trial court upheld the objection having in mind the law and jurisprudence governing transfers of registered lands.

Thus, in the case of *William H. Anderson vs. Garcia*, 64 Phil., 506, this Court held:

"We hold that under the Torrens system, registration is the operative act that gives validity to the transfer or creates a lien upon the land (sees. 50 and 51, Land Registration Act). A person dealing with registered land is not required to go behind the register to determine the condition of the property. He is only charged with notice of the burdens on the property which are noted on the face of the register of the certificate of title. To require him to do more is to defeat one of the primary objects of the Torrens system. A bona fide purchaser for value of such property at an auction sale acquires good title as against a prior transferee of the same property if such transfer was unrecorded at the time of the auction sale." (See also *Castillo vs. Sian*, 105 Phil., 622).

Here there is no clear evidence showing that appellee acted with knowledge of the origin of the property or that it is conjugal in nature other than a mere conjecture. Bad faith cannot be presumed but must be established by clear evidence more so when the property subject of the sale which is sought to be annulled is covered by a torrens title. In the circumstances, we are persuaded to affirm the decision of the trial court.

Wherefore, the decision appealed from is affirmed, without pronouncement as to costs.

Paras, C. J., Bengzon, Padilla, Montemayor, Labrador, Concepcion, Endencia, Barrera, and Gutierrez David, JJ., concur.

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.