

**RENATO TICHANGCO; ROMEO RAMOS, FOR HIMSELF AND THE
SAMAHANG MAGKAKAPITBAHAY NG DULONG GAGALANGIN;
ANTONIO PASCO, FOR HIMSELF AND THE SAMAHANG
MAGKAKAPITBAHAY NG BARANGAY 186; CE...**

G.R. No. 150629. June 30, 2004

Ponente: PANGANIBAN, J.

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PANGANIBAN, J.:

Unless contrary substantial evidence is presented in the proper proceedings by the proper party, a Torrens certificate of title cannot be overturned. The Torrens system rests on stability -- on the assurance that once ownership is recorded in the proper registry, owners can rest easy on their properties.

The Case

Before us is a Petition for Review[1] challenging the August 8, 2001 Decision[2] and the October 29, 2002 Resolution[3] of the Court of Appeals (CA) in CA-GR SP No. 54648. The assailed Decision affirmed the findings of the then Land Registration Authority (LRA) administrator, Alfredo Enriquez, that there were no legal grounds to initiate appropriate proceedings to nullify Original Certificate of Title (OCT) Nos. 820 and 7477 and the subsequent titles derived therefrom: Transfer Certificate of Title (TCT) Nos. 128240 to 128249, inclusive, and TCT No. 128270 -- all covering parcels of land in Tondo, Manila registered in the names of private respondents.

The challenged Resolution denied reconsideration.

The Facts

The antecedents are summarized in the Decision of the CA as follows:

Sometime in March 1996, Renato Tichangco, in behalf of the homeowners' association of Gagalangin and Sunog Apog (Tondo, Manila), who are occupants of various parcels of land in Gagalangin, Tondo, filed a land title verification request with the Land Registration Authority (LRA), docketed as LTV No. 96-0376. The verification request was prompted by an alleged claim of ownership of a certain Manotok over the land which petitioners occupy, and which they perceive as public land, being portions of the dried or filled bed of Estero de Maypajo and Sunog Apog area, and which allegedly have already been identified as Area for Priority Development under the Urban Poor Law. Manotok's claim is anchored upon Survey Plan Psd-25141, allegedly covering Lots 62-B and 69, Blk. 2918 of the Manila Cadastre, dated 22 December 1948 and Survey Plan (LRC) Psd-44026, allegedly covering Lots 86-A to C and 80-C-1 to 3, also of the Manila Cadastre. On 23 October 1996, the LRA-Task Force issued a report stating, among others, that "(a)s appearing on the survey plan (i.e., plan Psd-25141), Lots 62 and 69 were bounded among others by ESTERO DE MAYPAJO and Lot 55-C, Psd-11746." The task force also found that Psd-25141 and (LRC) Psd-44026 overlap with other surveys. Moreover, it found that "(t)he Lands Management Bureau x x x has no record showing that Lot 55-C, Psd-11746 was issued patent in favor of some private persons," and that "(v)erification on MIS No. 1955 for Manila, in the file with this Authority, disclosed no previous plotting of a title over 'Lot 55-C, Psd-11746' located near the Estero de Maypajo, Tondo, Manila and appearing as boundary in survey plan Psd-25141 of

Ricardo Manotok.”

Subsequently, the Estero de Sunog Apog homeowners, thru City Councilor Danilo Varona, 2nd District, Tondo, Manila, made similar requests for verification of TCTs Nos. 12870, and 128240 to 128249, inclusive, with the LRA, docketed as LTV-98-1222. The LRA-Task Force found that “[s]ubject titles covered ten (10) lots under (LRC) Pcs-14840, which were consolidation-subdivision of Psd-11746 and (LRC) Psd-7815.” TCT Nos. 128240 to 128249 had its origin from two Original Certificate of Title (OCT) No. 820, issued pursuant to Decree of Registration No. 1424 (31 January 1905), Expediente Number 302. These consist of Lots 1 to [10] of the consolidation-subdivision plan (LRC) Pcs-14840, portions of the consolidation of Lots 55-B and 55-C, Block 2918, Psd-11746, B, (LRC) Psd-7815, LRC Record No. 302 & N-1555. TCT No. 128270, on the other hand, had its origin from OCT No. 520 (sic) and 7477, issued pursuant to Decree Nos. 1424 and N-[23419], LRC Record No[s. 302,] N-1555. This lot is more particularly identified as Lot 10 of the consolidation-subdivision plan (LRC) Pcs-14686, portion of the consolidated Lots A, (LRC) Psd-7815, Psu-117259 & 55-A, Blk. 2918, Psd-11746, LRC Cad. No. 302 & Rec. No. N-1555. Moreover, the task force found that “(i)n plotting, based on the Manila Cadastral Map, surveys (LRC) Pcs-14686 and (LRC) Pcs-14840, of the above subjects, have encroached:

- Over the Estero de Sunog Apog by an estimated 30 meters; and
- Over all of the Sapang Visita.”

The task force hence referred the matter to the LRA-OSG Task Force for appropriate action.

Petitioners sought the assistance of the Office of the Solicitor General (OSG) for legal action on OCTs Nos. 820 and 7477. On 18 February 1999, the OSG wrote a letter to public respondent for a review and evaluation of the records on the issuance of TCTs Nos. 128240 to 128249, and 128270 covering parcels of land in Gagalangin, Tondo, Manila, docketed as Task Force TM No. 98-0087. In reply, public respondent issued the assailed “final resolution”, stating, inter alia, that the parcels of land described in TCTs Nos. 128240 to 128249 were originally registered on 09 January 1907 in the Manila Registry of Deeds as OCT No. 820 pursuant to Decree No. 1424 in Record No. 702 [sic]. In finding no legal grounds to initiate an action for the nullification of the assailed certificates of title, public respondent ratiocinated that:

“Upon thorough examination of Lots 55-A (28,525 sqm.), 55-B (28,525.4 sqm.) and 55-C (15,377.8 sqm.) of Plan 11746 covered by TCTs Nos. 49286 to 49288, respectively, which emanated from OCT No. 820, the following were established:

- That the adjoining on the S.W., N.W. of Lot 55-A, Block 2918, of the subdivision plan Psd-11746, covering TCT No. 42986 are by Lots 56, 70, Block 2918, Manila Cadastre and Sapang Visita and by Sunog Apog, respectively;
- That the adjoining on the West of Lot 55-B, Block 2918 of the subdivision plan Psd-11746, covering TCT No. 42987 is by Estero de Sapang (sic) Apog;
- That the adjoining N.E., N.W. of Lot 55-C, Block 2918 of the subdivision plan Psd-11746, covering TCT No. 49288 are by Estero de Maypajo and Estero de Sunog Apog, respectively;
- That it was mentioned on the decision dated April 25, 1955 that the parcel of land Psu-117186 and Psu-117259 decreed under N-23419, issued in the name of Severino Manotoc, are the adjoining properties of Lot 55-A, 55-B and 55-C, Block No. 2918 of the subdivision plan Psd-11746, covered by TCTs Nos. 49286, 24542 and 24522, respectively, and was further mentioned in the said decision that the said land were really acquired by accretion as the Sapang Visita is no longer navigable and Estero de Maypajo and Sapang (sic) Apog Creek is generally dried[;]
- That in the course of examining the subdivision plan (LRC) Psd-7815, it appears that the adjoining on the N.E. and S.W. are Lots 1 and 3 of Plan Psu-174649 and Psu-11259 in the name of Severino Manotoc and

beyond of which are Estero de Maypajo (10 to 12 meters wide), Estero de Sunog Apog (20 meters wide) and Sapang Visita, respectively.

“On the other hand, Lot 10 of Plan (LRC) Pcs-14684, ‘being a portion of the consolidation of Lots A, (LRC) Psd-7815, Psu-117259 & 55-A, Blk. 2918, Psd-11746’, was originally registered in Manila Registry of Deeds as OCT No. 820 (erroneously typed therein as OCT No. ‘520’) and OCT No. 7477. In other words, Lot 10 is the result of the earlier consolidation and subdivision of certain parcels of land covered by certificates of title which emanated from OCT No. 820 and OCT No. 7477, as evidenced by Plan (LRC) Pcs- 14648 (approved by LRA on 19 December 1972), Plan (LRC) Psd-7815 (approved by LRA on 24 July 1969), Plan Psu-117259 (appears to have been approved by the Bureau of Lands on 11 February 1936).

“OCT No. 7477 was issued by the Manila Register of Deeds in 1955 pursuant to Decree No. N-23419 in Land Registration Case No. N-1-LRC Record No. N-1555 in favor of Severino Manotok, covering two (2) parcels of land described in Plan Psu-117186 (8,838 sq. meters) and Plan Psu-117259 (1,689.30 sq. meters). Decree No. N-23419 was issued by this Authority on 18 June 1955 pursuant to the Decision dated 25 A[pril] 1955 of former Judge Bienvenido A. Tan of the then Court of First Instance of Manila in GLRO Record No. 1555 (Severino Manotok, applicant vs. The Director of Lands, Oppositor), the pertinent portions of which read:

‘It is conceded that the two parcels of land are agricultural in nature, and the only question to be decided is whether they are public or private lands. The decision of the Court of Appeals raises no other question but the following:

‘Applicant likewise contended that he, his coheirs and his late father, (Severino), had always believed that the land, sought for registration was a part, and in fact included, in their old registered property. Such contention could have been properly substantiated by the certificate of title covering the old property and the tax declaration for assessment purposes, showing whether it was bounded by the creeks now cited as boundaries of the Lot in question. But they were not presented as evidence.

‘Now that the said certificates of title were presented together with the memorandum of the Commissioner of Land Registration, the contention of the applicant is duly corroborated. The parcels of land sought to be registered are not included in the titles issued; but are adjoining the lots covered by said certificates of title. There is no question that the said parcels of land have been in the actual possession of the applicant and that his possession as well as that of his predecessors have been open, exclusive, continuous, adverse and in the concept of owner for the number of years required by law as the Sapang Visita is no longer navigable and its bed is dry, and that the Sunog Apog Creek is generally dried up due to the ordinary course of its current. The fact that his physical possession of these two parcels of land for the number of years required cannot be denied, and has not been denied or contradicted by any other evidence submitted by the oppositor. As well remarked by the Court of Appeals in its decision, the oppositor by a mere inference would make us believe that the applicant or his predecessors could not have occupied these Lots from time immemorial, as alleged. They got flooded at high tide, and only on Lot B does bacaoan grow and sparsely.’

“Based on the said decision, it would appear that the parcels of land covered by OCT No. 7477 were formerly part of Estero de Maypajo, Sapang Visita and Estero de Sunog Apog which had dried up.

“Accordingly, and considering that the dried up portion of the esteros were the subject of regular land registration proceedings; and that a period of one (1) year from the decree of registration and original certificate of title had already lapsed without said decrees being controverted by any adverse party within the reglementary period, the certificate of title become incontrovertible. (Sec. 32, PD 1529; Pamintuan vs. San Agustin, 343 Phil. 558)

“As narrated above, the issuance of TCTs Nos. 128240 to 128249, which emanated from OCT No. 820, are supported by the records of the Manila Registry of Deeds.”[4]

Ruling of the Court of Appeals

The CA held that OCT No. 820 had been issued on January 7, 1907, not on January 31, 1905, as petitioners claim. True, Decree No. 1424 had been issued on January 31, 1905, but it was entered or transcribed in the registration book of the Register of Deeds only in 1907. Pursuant to Section 42 of Act No. 496[5] (otherwise known as the Land Registration Act), OCT No. 820 took effect on January 7, 1907, the date of the transcription of the decree. The record number of Decree No. 1424, however, should be 786. Further, the appellate court held that an OCT was conclusive on all matters stated therein. Hence, the fact that the copy of Decree No. 1424 was no longer extant in the records of the LRA was of no moment.

The CA also held that OCT No. 7477 was already incontrovertible, because it had been the subject of regular land registration proceedings. More than one year after its registration, the decree was not controverted by any adverse party.

In their Motion for Reconsideration, petitioners raised the minority of the land registration applicants -- Severino, Benita, Ambrosio and Ricardo, all surnamed Manotok -- as an additional ground to nullify OCT No. 820. Ostensibly, they had filed their application without the assistance of a legally appointed guardian. The CA, however, denied petitioners' Motion for Reconsideration for lack of merit.[6]

Hence, this present recourse entitled by petitioners as a "Petition for Certiorari under Rule 65," filed on November 20, 2001.

On December 10, 2001, this Court (Third Division) dismissed the Petition, because certiorari was not a substitute for the lost remedy of appeal.[7]

On February 6, 2002, the Court -- upon reconsideration -- deemed the Petition as one filed under Rule 45 and required respondents to comment thereon.[8] After all, it had been submitted within the 15-day period required by Rule 45.

Issues

Petitioners raise the following issues:

"A. With respect to OCT No. 820

(10) Did respondent Court of Appeals commit grave abuse of discretion tantamount to or in excess of jurisdiction when it failed to declare null and void OCT No. 820, despite the following undisputed facts:

(1) OCT No. 820 was issued in the name of [m]inors Severino, Benita, Ambrosio and Ricardo, all surnamed Manotok, aged 17, 14, 12 and 10, without a court appointed guardian; and

(2) Decree of Registration No. 1424 of January 31, 1905 (which led to the issuance of OCT No. 820) was issued before completion of the magnetic survey of the parcels of land covered by OCT No. 820 on November 15, 1906.

(11) Did respondent Court of Appeals violate Section 14, Article VIII, 1987 Constitution when it omitted in its narration of facts that the Magnetic Survey of the parcels of land covered by OCT No. 820 was made and completed only on November 15, 1906?

"B. With respect to OCT No. 7477

(12) Did respondent Court of Appeals commit grave abuse of discretion tantamount to or in excess of jurisdiction when it failed to declare OCT No. 7477 null and void despite the undisputed and conclusive fact that the parcels of land it covers were formerly part of the Estero de Maypajo, Estero de Sunog Apog and Sapang Visita, or inalienable lands of the public domain intended for public use?"[9]

In simpler and more understandable language, the issues raised by petitioners are as follows: 1) whether OCT Nos. 820 and 7477 are valid; and 2) whether the CA complied with Section 14 of Article VIII of the 1987 Constitution.

The Court's Ruling

The Petition has no merit.

Preliminary Issue:

Propriety of Petition for Certiorari Under Rule 65

At the outset, this Court notes that petitioners erroneously anchor their Petition on Rule 65. Their remedy should be based on Rule 45, because they are appealing a final disposition of the Court of Appeals.

"Certiorari under Rule 65 is a remedy narrow in scope and inflexible in character. It is not a general utility tool in the legal workshop."^[10] It involves a correction of errors of jurisdiction only, or grave abuse of discretion amounting to lack or excess of jurisdiction. It is not a substitute for an appeal, when the latter remedy is available.^[11]

Indubitably, the CA had jurisdiction over petitioners' appeal from the Resolution of the LRA and rendered the assailed Decision in the proper exercise of that jurisdiction. Under the circumstances, Rule 45 was the plain, speedy and adequate remedy in the ordinary course of law.

Since the Petition was filed within the 15-day period, in the interest of justice it shall be treated as one for review under Rule 45, and not for certiorari under Rule 65.

First Issue:

Validity of OCT Nos. 820 and 7477

The fundamental purpose of the Land Registration Law (Act No. 496, now PD 1529) is to finally settle title to real property^[12] in order to preempt any question on the legality of the title -- except claims that were noted on the certificate itself at the time of registration or those that arose subsequent thereto.^[13] Consequently, once the title is registered under the said law, owners can rest secure on their ownership and possession.

The proceedings for the judicial registration of land under the Torrens system involve more consequences than an ordinary action would.^[14] Once a decree of registration is made under the Torrens system, and the reglementary period has passed within which the decree may be questioned, the title is perfected and cannot be collaterally questioned later on.^[15]

OCT No. 820

In assailing the validity of OCT No. 820, petitioners capitalize on the plain statement written on the face of the Certificate that the magnetic survey was completed only on November 15, 1906, while the decree had been issued earlier on January 31, 1905. They insist that the land registration court acquired no jurisdiction over the land that was the subject of the registration proceedings; and that -- as no survey had been made, completed and submitted to it -- therefore, the court had no authority to issue the decree.

We are not persuaded. Petitioners erroneously and baselessly speculate that the magnetic survey of the land was the only survey conducted, or that no other plan was submitted to the registration court, or that the land was not surveyed at all. Mere conclusions and speculations are not sufficient to defeat or impair the title of private respondents.

OCT No. 820 was issued more than 90 years ago in 1907, but the original Certificate is still existing in the records of the Register of Deeds. Having been issued under the Torrens system, the original Certificate enjoys a

presumption of validity.[16] Correlatively, it also carries a strong presumption that the provisions of the law governing the registration of land under the Torrens system have duly been followed.

The law applicable at the time of registration of OCT No. 820, Act No. 496, provides thus:

“SEC. 26. The applicant shall file with the application a plan of the land, and an original muniments of title within his control mentioned in the schedule of documents, such original muniments to be produced before the court at the hearing when required. When an application is dismissed or discontinued, the applicant may, with the consent of the court, withdraw such original muniments of title.”

“SEC. 36. x x x. The court may in any case before decree require a survey to be made for the purpose of determining boundaries, and may order durable bounds to be set, and referred to in the application, by amendment. x x x.”

“SEC. 40. Every decree of registration shall bear the day of the year, hour, and minute of its entry, and shall be signed by the clerk. x x x. It shall contain a description of the land as finally determined by the court, x x x.”

Based on the foregoing, an original survey plan other than that completed in 1906 was presumably submitted to the land registration court prior to the issuance of the decree. In his Comment,[17] then LRA Director Benjamin A. Flestado quoted a portion of the Decision in Land Registration Case No. N-1-LRC, Record No. N-1555, pertaining to the history of the two lots embraced in OCT No. 820. The Decision stated that a survey of those lots had been undertaken by American surveyors on or before 1905. That Decision is certainly more reliable than the plain assertions of petitioners, who obviously had no personal knowledge of the original land registration proceedings.

The completion of the magnetic survey does not discount the existence and the submission of a prior survey plan. Relevant is the Court’s ruling in *Francisco v. Borja*,[18] from which we quote:

“x x x. When surveys under the old system are not correct and differ from the result obtained by the modern and more scientific way of surveying, corrections of errors contained in the old plan should be permitted by the court so long as the boundaries laid down in the description as enclosing the land and indicating its limits are not changed. If they are not allowed in the expediente of the case, no other remedy may be resorted to by which errors or imperfections in the old plan can be cured and to permit a decree based on such erroneous survey to stand would be absurd. The decree is not reopened and thereby modified. It is the new plan that is made to conform to the decree, which procedure should be allowed and even encouraged in these Islands where, as court records show, many certificates of title are still based on the old and highly defective surveys. x x x.”[19]

From the above, it is clear that a new survey may be conducted to conform to a decree, even after it has been issued.

In the same Comment, Director Flestado stated that Decree No. 1424, issued before the Second World War, had either been lost or destroyed during that war. Thus, it could no longer be the basis for determining which parcels of land were covered by the decree and on what date they had originally been surveyed.[20]

At any rate, by legal presumption, public officers are deemed to have regularly performed their official duties. Thus, the proceedings for land registration that led to the issuance of OCT No. 820 are presumed to have regularly and properly been conducted. To overturn this legal presumption carelessly -- more than 90 years since the termination of the case -- will not only endanger judicial stability, but also violate the underlying principle of the Torrens system. Indeed, to do so would reduce the vaunted legal indefeasibility of Torrens titles to meaningless verbiage.

In the same vein, we reject the contention of petitioners that OCT No. 820 is null and void on the ground that the applicants for land registration were minors who were not assisted by a legal guardian. They allege that while the names of the minor applicants were contained in the title, no legal guardian was named therein.

Again, petitioners rely on mere speculations and conjectures, which cannot be sustained by this Court. The mere failure to mention on the title the names of the legal guardians does not necessarily imply their absence during the actual land registration proceedings. Besides, the absence of legal guardians cannot be used as a basis for depriving minors of benefits that have accrued to them. If at all, it could be a ground to invalidate an imprudent attack against their interest, not to deprive them of any advantage or gain.

OCT No. 7477

It cannot be denied that OCT No. 7477 was the subject of judicial proceedings in which the government, represented by the director of lands, amply participated. We quote hereunder pertinent portions of the April 25, 1955 Decision of Judge Bienvenido A. Tan of the then Court of First Instance of Manila in GLRO (General Land Registration Office) Record No. 1555, entitled *Severino Manotok, Applicant v. The Director of Lands, Oppositor*:

The Director of Lands filed an opposition alleging that the parcels of land are public domain belonging to the Republic of the Philippines and the applicant has no title and possession under claim of ownership since 26 July 1894; that on 18 November 1950, a decision was rendered denying the application, which decision was appealed to the Court of Appeals in due time; that eventually the Decision dated 18 November 1950 was set aside and a new trial was ordered; that pursuant to the order of CA for new trial, the Chief Surveyor of LRC was ordered “to determine whether or not said parcels of land. . . are included in any certificate of title of the applicant”; that in due time, the LRC submitted a report stating that the lands “are not included in any of the TCT Nos. 49286, 24542 and 24522 submitted to this Commission by the applicant” and that said certificates of title “cover Lots 55-A, 55-B and 55-C, Block No. 2918 of the subdivision plan Psd-11746” which lots adjoin the parcels of land subject matter of the instant case (Record No. 1555); that during the trial, the applicant testified that the lands in question are not included in the land described in OCT No. 820; that the said parcels of land were believed by him and his predecessors as included therein “because on the West the first parcel in OCT No. 820, the boundary is the Sunog Apog Creek, and that on the South, the boundary is the Sapang Visita”; that the first parcel of land covered by OCT No. 820 was subdivided into 3 Lots, known as Lots 55-a, 55-b and 55-c, the last two Lots were bought by the applicant from Ricardo Manotok (1 August 1946) and Benita Manotok de Geronimo (17 September 1949) while Lot 55-a was adjudicated to him and now covered by TCT No. 49286.

Public Land Surveyor Gregorio M. Aranzas testified on cross examination that the shore-line of Sunog Apog Creek “is traced by him by dotted lines on Exh. A and marked as Exh. O” and the shoreline of Sapang Visita “is that traced by him, also by a dotted line, and marked as Exh. P on Exh. B”; that while the applicant testified that the lands in question “are now high and are dry even during rainy season”, no evidence to the contrary “has been presented by the oppositor”, thus it “only goes to show that the lands in question are no longer banks of the Sunog Apog Creek and the Sapang Visita, as previously contended by the Director of Lands.”

That the parcels of land sought to be registered are not included in titles already issued; that the lands have been in the actual possession of the applicant and his possession, as well as that of his predecessors, “has been open, exclusive, continuous, adverse and in the concept of owner for the number of years required by law”; that portions of said land “were really acquired by accretions as the Sapang Visita is no longer navigable and its bed is dry, and that the Sunog Apog Creek is generally dried up due to the ordinary course of its current”; that the herein applicant sought registration of these land only in 1947 “as it was then that he discovered that the lands were not included in the old title.”[21]

As things stand now, private respondents have in their favor a judicial pronouncement showing, *prima facie* at

least, that the expanded areas do not belong to the public domain, and that they have acquired rights of ownership over them by accretion. In brief, they have overcome the presumption that the land is within an unclassified property of the public domain.[22]

While registration proceedings are judicial, they involve more consequences than an ordinary action would. The entire world, including the government, is given a chance to participate in the case.

After the registration is completed and finalized in the regular course, the rights of all adverse claimants are foreclosed by the decree of registration.[23] The government itself assumes the burden of giving notice to all parties. The very purpose and intent of the law, however, would be defeated by permitting persons to litigate again on the basis of the same adverse claims in the registration proceedings, after they have already been given the opportunity to do so. For them to raise the same questions anew would be to cast doubt again upon the validity of the registered title.[24]

Even assuming that petitioners may still institute an action for the nullification of OCT No. 7477, the review of a decree of registration under Section 38 of Act No. 496 (Section 32 of Presidential Decree No. 1529) would prosper only upon proof that the registration was procured through actual fraud.[25] “The fraud must be actual and extrinsic, not merely constructive or intrinsic; the evidence thereof must be clear, convincing and more than merely preponderant, because the proceedings which are assailed as having been fraudulent are judicial proceedings which by law, are presumed to have been fair and regular.”[26]

Actual fraud proceeds from an intentional deception perpetrated through the misrepresentation or the concealment of a material fact.[27] The fraud is extrinsic if it is employed to deprive parties of their day in court and thus prevent them from asserting their right to the property registered in the name of the applicant. The fraud is intrinsic if that which is alleged in the petition to set aside the decree is the fraud involved in the same proceedings in which the parties seeking relief have had ample opportunity to assert their right, to attack the document presented by the applicant for registration, and to cross-examine the witnesses who have testified thereon.[28] Inquiry into this latter kind of fraud is barred after the judgment of the land registration court has become final.

Petitioners fail to convince the Court that the facts they rely upon to justify a review of the decree in question constitute actual extrinsic fraud.

Legal Standing

Finally, assuming *arguendo* that the validity of the two titles may still be impugned, petitioners do not have any legal standing to ask directly for their annulment.

We can only infer the interest, supposedly in their favor, from their allegation that they were occupants of a portion of the parcel covered by OCT Nos. 820 and 7477, which they perceive to be public land. Petitioners were neither applicants nor claimants of any preferential right over the aforesaid disputed lands. Being too vague, too highly speculative and uncertain, their presumed interest does not suffice to constitute a legal right or interest that would grant them standing in court.

“Legal standing has been defined as a personal and substantial interest in the case, such that the party has sustained or will sustain direct injury as a result of the challenged act. Interest means a material interest in issue that is affected by the questioned act or instrument, as distinguished from a mere incidental interest in the question involved.”[29] Since the parcels they claim are properties of the public domain, only the government can bring an action to nullify the TCTs.[30]

Second Issue:

Compliance with the Constitution

The first paragraph of Section 14 of Article VIII of the Constitution mandates that “[n]o decision shall be rendered by any court without expressing therein clearly and distinctly the facts and the law on which it is based.”

Petitioners attack the validity of the assailed CA Decision for its failure to mention that a magnetic survey was completed only on November 15, 1906, a fact that they perceived to be crucial to the determination of the case. The untenability of such grasping at straws can easily be demonstrated.

In its assailed Decision, the CA affirmed the resolution of LRA Administrator Enriquez. The appellate court deliberated on the law and the reasons it relied upon in its determination of the issues presented only after giving a detailed account and assessment of the factual antecedents found by respondent administrator.

Since the Decision of the CA contains the necessary antecedents to warrant its conclusions, the appellate court cannot be said to have withheld “any specific finding of facts.” What the law insists on is that a decision state the “essential ultimate facts.” Indeed, the “mere failure to specify x x x the contentions of the petitioner and the reasons for refusing to believe them is not sufficient to hold the same contrary to the requirements of the provision of law and the Constitution.”[31]

This constitutional provision deals with the disposition of petitions for review and of motions for reconsideration. In appellate courts, the rule does not require any comprehensive statement of facts or mention of the applicable law, but merely a statement of the “legal basis” for denying due course.[32]

Thus, there is sufficient compliance with the constitutional requirement when a collegiate appellate court, after deliberation, decides to deny a motion; states that the questions raised are factual or have already been passed upon; or cites some other legal basis.[33] There is no need to explain fully the court’s denial, since the facts and the law have already been laid out in the assailed Decision.

WHEREFORE, the Petition is DENIED and the assailed Decision and Resolution AFFIRMED. Costs against petitioners.

SO ORDERED.

Davide, Jr., C.J., (Chairman), Carpio, and Azcuna, JJ., concur.
Ynares-Santiago, J., on leave.

[1] Rollo, pp. 3-23. Petitioners erroneously labeled their recourse as one for “certiorari” under “Rule 65.” Since they are questioning a decision of the Court of Appeals, the proper remedy is a petition for review under Rule 45. Inasmuch as the herein Petition had actually been filed within the 15-day regulatory period, the Court treated the Petition as one filed under Rule 45.

[2] Id., pp. 59-68. Fifteenth Division. Penned by Justice Romeo A. Brawner (Division chairman), with the concurrence of Justices Remedios Salazar-Fernando and Rebecca de Guia-Salvador (members).

[3] Id., pp. 86-87.

[4] CA Decision, pp. 2-5; rollo, pp. 60-63.

[5] “Sec. 42. The certificate first registered in pursuance of the decree of registration in regard to any parcel of land shall be entitled in the registration book, ‘Original certificate of title, entered pursuant to the decree of the Court of Land Registration, dated at’ (stating time and place of entry of decree and the number of the case). This

certificate shall take effect upon the date of the transcription of the decree. x x x.”

[6] See CA Resolution, p. 1; rollo, p. 86.

[7] See Resolution; id., p. 88.

[8] This case was deemed submitted for decision on October 10, 2002, upon this Court’s receipt of petitioners’ Reply to the Memorandum of public respondents. Petitioners’ Memorandum was received on July 23, 2002, that of private respondents’ on August 9, 2002, and that of public respondents on September 24, 2002. Petitioners’ Memorandum was signed by Atty. Reynaldo B. Aralar; private respondents’ by Atty. Felix B. Lerio; and public respondents’ by Asst. Solicitors General Carlos N. Ortega and Josefina C. Castillo and Solicitor Violeta A. Ticzon.

[9] Petitioners’ Memorandum, pp. 5-6; rollo, pp. 190-191.

[10] Land Bank of the Philippines v. Court of Appeals, GR No. 129368, August 25, 2003, per Callejo Sr., J.

[11] Ibid. De Castro v. Delta Motor Sales Corp., 57 SCRA 344, May 31, 1974.

[12] Reyes and Nadres v. Borbon, 50 Phil. 791, September 30, 1927.

[13] Benin v. Tuason, 156 Phil. 525, June 28, 1974.

[14] Legarda and Prieto v. Saleeby, 31 Phil. 590, October 2, 1915.

[15] Abad v. Government of the Philippines, 103 Phil 247, March 29, 1958.

[16] Ramos v. Hon. Rodriguez, 314 Phil. 326, May 29, 1995.

[17] Rollo, pp. 278-286.

[18] 73 Phil. 578, May 14, 1942.

[19] Ibid, per Paras, J. Emphasis supplied.

[20] Ibid.

[21] Cited by Director Flestado in his Comment, pp. 7-8; rollo, pp. 284-285.

[22] Republic vs. Alon, 199 SCRA 396, July 18, 1991.

[23] Castelo v. Director of Lands, 48 Phil. 589, January 12, 1926.

[24] Legarda and Prieto v. Saleeby, supra.

[25] §32 of PD No. 1529 provides:

“SEC. 32. Review of decree of registration; Innocent purchaser for value. - The decree of registration shall not be reopened or revised by reason of absence, minority, or other disability of any person adversely affected thereby, nor by any proceeding in any court for reversing judgments subject, however, to the right of any person, including the government and the branches thereof, deprived of land or of any estate or interest therein by such adjudication or confirmation of title obtained by actual fraud, to file in the proper Court of First Instance (now Regional Trial Court) a petition for reopening and review of the decree of registration not later than one year from and after the date of the entry of such decree of registration, but in no case shall such petition be entertained by the court where an innocent purchaser for value has acquired the land or an interest therein, whose rights may be prejudiced. x x x.” (Emphasis and parentheses supplied.)

[26] Peña, Registration of Land Titles and Deeds, 1994 ed., p. 126 citing Flores v. Valdepeñas, 58 O.G. 38, September 17, 1962, CA; Libudan v. Palma Gil, GR Nos. L-21163 & L-25495, May 17, 1972; 45 SCRA 17.

[27] Heirs of Manuel A. Roxas v. Court of Appeals, 337 Phil. 41, March 21, 1997.

[28] Frias v. Esquivel, 115 Phil. 755, July 31, 1962.

[29] Velarde v. Social Justice Society, GR No. 159357, April 28, 2004, per Panganiban, J.

[30] Urquiaga v. Court of Appeals, 361 Phil. 660, January 22, 1999; Roxas v. Cuevas, 8 Phil. 469, August 31, 1907.

[31] Air France v. Carrascoso, 124 Phil. 724, 728, September 28, 1966, per Sanchez, J.

[32] Bernas, The 1987 Constitution of the Republic of the Philippines: A Commentary (1996), p. 893.

[33] Komatsu Industries (Phils.), Inc. v. Court of Appeals, 352 Phil. 440, April 24, 1998.

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