

**FELICIDAD STA. MARIA VILLARAN, WILFREDO STA. MARIA
VILLARAN, DEOGRACIAS STA. MARIA AND ROLANDO STA. MARIA,
PETITIONERS, VS. DEPARTMENT OF AGRARIAN REFORM
ADJUDICATION BOARD AND L...**

G.R. No. 160882. March 07, 2012

Ponente: PERALTA, J.

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PERALTA, J.:

This is a Petition for Review under Rule 45 of the Rules of Court assailing the October 20, 2003 Decision[1] of the Court of Appeals in CA-G.R. SP No. 72388, as well as the November 25, 2003 Resolution[2] which denied reconsideration. The assailed decision dismissed the Rule 65 petition filed before the Court of Appeals by herein petitioners who sought to set aside the January 16, 2001 decision of the Department of Agrarian Reform Adjudication Board (DARAB) in DARAB Case No. 7365. In turn, the latter assailed decision affirmed the ruling of the Office of the Regional Adjudicator in favor of respondent Lorenzo Mariano in DARAB Case No. IV-DCN-R1-006-95 – one for the disqualification of herein petitioners as agrarian reform beneficiaries.

The facts follow.

Bernardo Sta. Maria had been a tenant-tiller in Hacienda Jala-Jala of the estate of the spouses Francisco de Borja and Josefina Tangco. By virtue of Presidential Decree (P.D.) No. 27, he was issued Certificates of Land Transfer in 1973 covering the three (3) parcels of riceland subject of this case. These certificates would then be the basis for the issuance of Emancipation Patent Nos. A-035687, A-035685 and A-035159 and the corresponding Transfer Certificate of Title Nos. M-1677, M-1679 and M-1680 in the Register of Deeds of Rizal.[3] Bernardo died on April 5, 1988, yet the said TCTs were issued in his name only in December 1988.

The controversy arose when Lorenzo allegedly entered the subject property following the death of Bernardo, cultivated the same and appropriated the harvest all to himself. Petitioners claimed they had learned of it only in 1989, and that in the intervening period they admittedly had left the subjects lands idle because of lack of enough rainfall that season.[4] Lorenzo, however, asserted his entry was not illegal, because he supposedly had been a long-time sub-tenant of Bernardo even until the latter's death.[5] Sometime in 1990, the conflict was brought to the Barangay Agrarian Reform Committee (BARC) of Poblacion, Jala-Jala, Rizal. No compromise emerged; hence, the BARC referred the matter to the Municipal Agrarian Reform Office (MARO) before which, however, no conciliation was likewise reached.[6] Exasperated, petitioners, on May 21, 1990, formally demanded that Lorenzo vacate the subject property within 30 days from notice.[7] Lorenzo did not heed the demand.

On February 21, 1995, Lorenzo filed before the DARAB Regional Office No. 4 a petition[8] for the disqualification of petitioners as farmer-beneficiaries and for the cancellation of the pertinent emancipation patents and transfer certificates of title issued to Bernardo. He alleged sub-tenancy in his favor which had begun in 1980 until Bernardo's death in 1988, and claimed that, as affirmed by the BARC, he had during that period even undertaken to deliver crop remittances to Bernardo. He asserted too that after Bernardo's death, petitioners

had left the lands sitting idle.[9]

Addressing the petition and moving for dismissal thereof, petitioners countered that Lorenzo had on several occasions been merely hired by their late father to haul and spread seedlings on the subject property; that they had left the lands idle as alleged but that the same was due to the unexpected lack of rain during the planting season; that on the contrary, Lorenzo, after Bernardo's death, had entered the subject property by stealth and strategy and cultivated the same for his exclusive benefit; and finally, that it was the regular courts, not the DARAB, which had jurisdiction over the instant dispute inasmuch as Lorenzo was a mere "squatter" or usurper.[10]

On September 4, 1997, the Regional Adjudicator, disposing the petition in favor of Lorenzo, ruled as follows:

WHEREFORE, premises considered, judgment is hereby rendered:

1. Directing the Register of Deeds for the Province of Rizal to effect the immediate cancellation of the following Transfer Certificates of Title covering the subject lots more particularly described in Paragraph 3 of the petition, to wit:

Lot. No. Area EP No. TCT No.

102 15,640 sq.m. A-035159 M-1680

85 7,977 sq.m. A-035685 M-1679

83 19,215 sq.m. A-035681 M-1677

of the Subdivision Plan Psd-04-030752 (OCT), all located at 1st District, Jala-Jala, Rizal which are registered in the name of Bernardo R. Sta. Maria;

2. Directing the local MARO (Municipal Agrarian Reform Officer) of Jala-Jala, Rizal and PARO (Provincial Agrarian Reform Officer) of Rizal to reallocate the aforementioned lots described in the preceding paragraph to other qualified beneficiaries pursuant to existing law and pertinent guidelines;

3. Maintaining the petitioner in the peaceful possession and cultivation of the subject premises as a qualified potential PD 27 beneficiary [thereof];

4. Perpetually enjoining the respondents, Heirs of the late Bernardo R. Sta. Maria from disturbing the petitioner's peaceful possession and cultivation of the subject premises.

No costs.

SO ORDERED.[11]

Petitioners elevated the case to the DARAB, which, on January 16, 2001, adopted and affirmed the findings and ruling of the Regional Adjudicator as follows:

WHEREFORE, finding no reversible error in the herein assailed decision of September 4, 1998, the same is hereby AFFIRMED in toto.

SO ORDERED.[12]

Petitioners moved for reconsideration, alleging a denial of due process and partiality to their disadvantage and, accordingly, sought that the decision of the Regional Adjudicator be declared void upon those grounds.[13] The motion was denied on June 25, 2002.[14]

Petitioners then turned to the Court of Appeals via a Petition for Certiorari[15] under Rule 65. In it, they alleged that the DARAB in this case had exhibited a want or excess of jurisdiction, first, in entertaining the instant suit

involving a “squatter” on one hand and agrarian reform beneficiaries on the other; and, second, in affirming a void decision that had been promulgated in violation of the due process clause. They likewise fault the DARAB in its erroneous appreciation of the evidence and its manifest bias in favor of Lorenzo.[16]

On October 20, 2003, the Court of Appeals rendered the assailed Decision dismissing the petition as follows:

WHEREFORE, premises considered, the petition is hereby DENIED and ordered DISMISSED.

SO ORDERED.[17]

The focal ground for the dismissal of the petition was the modality of recourse taken by petitioners. The Court of Appeals observed that the correct remedy from an adverse decision of the DARAB is an appeal by petition for review, not a petition for certiorari, to be taken within 15 days from notice.[18] It likewise affirmed the uniform findings of the Regional Adjudicator and the DARAB that the dispute arose from the supposed tenancy relationship which existed between Bernardo and Lorenzo, hence, it came under the competence of the DARAB to resolve. Moreover, it noted that said relations between Lorenzo and Bernardo, as well as the established fact that the supposed agrarian reform beneficiaries had failed to personally cultivate the subject lands, were all contrary to the mandate of the land grant. Finally, it dismissed the claim of denial of due process.[19]

Petitioners’ motion for reconsideration[20] was denied.[21] Hence, this recourse to the Court.

Petitioners’ stance is unchanged. They hinge the present petition on their obstinate notion that Lorenzo was a mere “squatter” or usurper of the subject property and that, therefore, the dispute is removed from the jurisdiction of the agrarian agency which has thus rendered a void decision on the controversy. They also reiterate their supposed prejudice as they were allegedly denied due process and yet were bound by the assailed decisions which had been rendered without basis in the evidence on record.[22]

In its abbreviated Comment[23] on the petition, the DAR stands by the dismissal of the petition by the Court of Appeals and prayed that inasmuch as petitioners resorted to an improper mode of appeal from the DARAB, the instant petition deserves an outright dismissal.

The petition is utterly unmeritorious.

We agree with the Court of Appeals that petitioners have resorted to a wrong mode of appeal by pursuing a Rule 65 petition from the DARAB’s decision. Section 60[24] of Republic Act (R.A.) No. 6657 clearly states that the modality of recourse from decisions or orders of the then special agrarian courts is by petition for review. In turn, Section 61[25] of the law mandates that judicial review of said orders or decisions are governed by the Rules of Court. Section 60[26] thereof is to be read in relation to R.A. No. 7902,[27] which expanded the jurisdiction of the Court of Appeals to include exclusive appellate jurisdiction over all final judgments, decisions, resolutions, orders or awards of Regional Trial Courts and quasi-judicial agencies, instrumentalities, boards or commissions.[28] On this basis, the Supreme Court issued Circular No. 1-95[29] governing appeals from all quasi-judicial bodies to the Court of Appeals by petition for review regardless of the nature of the question raised. Hence, the Rules direct that it is Rule 43 that must govern the procedure for judicial review of decisions, orders, or resolutions of the DAR as in this case. Under Supreme Court Circular No. 2-90,[30] moreover, an appeal taken to the Supreme Court or the Court of Appeals by a wrong or inappropriate mode warrants a dismissal.

Thus, petitioners should have assailed the January 16, 2001 decision and the June 25, 2002 resolution of the DARAB before the appellate court via a petition for review under Rule 43. By filing a special civil action for certiorari under Rule 65 rather than the mandatory petition for review, petitioners have clearly taken an inappropriate recourse. For this reason alone, we find no reversible error on the part of the Court of Appeals in dismissing the petition before it. While the rule that a petition for certiorari is dismissible when availed of as a

wrong remedy is not inflexible and admits of exceptions – such as when public welfare and the advancement of public policy dictates; or when the broader interest of justice so requires; or when the writs issued are null and void; or when the questioned order amounts to an oppressive exercise of judicial authority[31] – none of these exceptions obtains in the present case.

Be that as it may, we shall address the peripheral issues raised in the present petition for clarity and perspective.

Petitioners insist that a certiorari petition is the proper relief from the assailed decision and resolution of the DARAB inasmuch as the latter allegedly has gravely abused its discretion amounting to lack of jurisdiction when it took cognizance of the non-agrarian dispute in this case – where the disputants are agrarian reform beneficiaries and a mere usurper or “squatter.”[32]

Concededly, the true nature of this case seems to have been obscured by the incidents that ensued between the formal demand to vacate was made by petitioners on respondent on May 21, 1990, and the filing by respondent of the petition for disqualification against petitioners on February 21, 1995. The records bear that on July 3, 1990, herein petitioners had instituted an action for forcible entry/unlawful detainer against respondent involving the subject property.[33] The case, however, had been dismissed because it was filed beyond the reglementary period, as well as on ground of forum shopping in view of the then pendency of the dispute with the Municipal Agrarian Reform Office (MARO). Petitioners appealed to the regional trial court and then to the Court of Appeals which both rendered a dismissal for lack of merit. The dismissal had attained finality.[34] Then, sometime between May and June 1993, herein petitioners had filed a complaint for recovery of possession against respondent respecting the subject properties.[35] In these cases, petitioners uniformly characterized respondent as a mere usurper or “squatter” who, by strategy and stealth and by taking advantage of the supposed illiteracy of their predecessor, succeeded in taking possession of the subject property.[36] Also, in 1998, petitioners had instituted a complaint at the provincial prosecution office ascribing criminal trespass to respondent also relative to the subject farmlands.[37]

Thus, we revert to the origins of the controversy at the BARC level, where the conflict between petitioners and respondent has encountered a first attempt at resolution. We recall that at the said forum, respondent has already sought validation of his rights as Bernardo’s sub-tenant. This fact is affirmed in the June 25, 1990 Report[38] of the BARC. Significantly, the committee affirmed that even during Bernardo’s lifetime and prior to the issuance of the emancipation patents and TCT’s in his name, he had already committed several violations of the terms of his certificates of land award and of the provisions of P.D. No. 27. These violations include his entrusting his landholding, between 1974 until 1988, to the able hands of several sub-tenants who undertook to personally and actually cultivate the property and obliged themselves to deliver crop remittances to him. Indeed, Lorenzo was among these sub-tenants.[39]

The Report also told that the property had outstanding tax obligations in favor of the local government for which both Bernardo and petitioners as his heirs should be held responsible.[40] Quite striking is the finding that for more than ten (10) years – or the period during which Bernardo’s landholdings were being farmed by his own tenants – none of herein petitioners had manifested to the agrarian department their intention to take on and continue carrying out the obligations attaching to the land grant.[41] In fact, none of them had coordinated with the DAR even after Bernardo’s death on April 5, 1988.[42] Accordingly, the BARC recommended the cancellation of Emancipation Patent Nos. A-035685, A-035687 and A-035159 in the name of Bernardo, in accordance with the provisions of P.D. No. 27. It declared petitioners unqualified to become agrarian reform beneficiaries for failure to signify their intent to step into the shoes of their predecessor.[43] It was also recommended that respondent, who has been actually tilling the lots covered by the subject emancipation patents and TCTs, be allowed to carry on the rights and obligations of Bernardo.[44]

The findings contained in the said BARC Report indisputably place the present controversy within the class of disputes over which the DAR exercises primary jurisdiction as provided in Section 50[45] of R.A. No. 6657. Agrarian disputes refer to any controversy relating to tenancy over lands devoted to agriculture, among others.[46] The statutory vesture of power in the DAR is to be read in conjunction with Section 3 (d) of R.A. No. 6657, which defines an agrarian dispute as any controversy relating to tenurial arrangements, whether leasehold, tenancy, stewardship or otherwise, over lands devoted to agriculture, including disputes concerning farmworkers' associations or representation of persons in negotiating, fixing, maintaining, changing or seeking to arrange terms or conditions of such tenurial arrangements. It includes any controversy relating to compensation of lands acquired under this Act and other terms and conditions of transfer of ownership from landowner to farmworkers, tenants and other agrarian reform beneficiaries, whether the disputants stand in the proximate relation of farm operator and beneficiary, landowner and tenant, or lessor and lessee. It refers to any controversy relating to, inter alia, tenancy over lands devoted to agriculture.[47]

We need not belabor this point, inasmuch as jurisdiction is vested by law and is determined by the material allegations in the complaint.[48] Indeed, when a court, tribunal or officer has jurisdiction over the person and the subject matter of the dispute, the decision on all other questions arising in the case is an exercise of that jurisdiction and, hence, all errors committed in the exercise of said jurisdiction are merely errors of judgment. Under prevailing procedural rules and jurisprudence, errors of judgment are not proper subjects of a special civil action for certiorari.[49]

Thus, armed with the BARC Report which itself states that no conciliation has been arrived at by the parties previously, and following a failed attempt at conciliation before the MARO, Lorenzo filed a petition against petitioners for their disqualification to become agrarian reform beneficiaries with the Office of the Regional Adjudicator of the DAR. Relying on the BARC's findings, the Regional Adjudicator noted that, indeed, Bernardo had violated the terms of his land grant when he employed sub-tenants in the cultivation of the subject landholding[50] – a direct contravention of the prohibitions instituted in Section 27[51] of R.A. No. 3844[52] and in Section 24 (2)[53] of R.A. No. 1199,[54] as amended. These two provisions prohibit an agricultural lessee or tenant from, among others, employing a lessee on the landholding except in case of illness or incapacity where laborers may be employed but whose services shall be on his account. It turned out also that the Regional Adjudicator had found meritorious the BARC findings that Lorenzo was only among other third parties in favor of whom the usufructuary rights over the landholding had been surrendered by Bernardo; and that since Lorenzo was the last sub-tenant to take possession of the landholding in the series of relinquishments made by Bernardo following the issuance of his certificates of land transfer in 1973, it was deemed proper to protect Lorenzo's security of tenure on the subject property.[55] This, especially since Lorenzo's un rebutted evidence is to the effect that he has been in continuous and actual possession and cultivation of the disputed lands.[56]

These findings have been affirmed in the ordinary course by both the DARAB and the Court of Appeals and, hence, are no longer bound to be reevaluated by this Court. For, in a petition for review on certiorari under Rule 45 of the Rules of Court, only questions of law may be raised. We have time and again ruled that the factual findings by administrative agencies are generally accorded great respect, if not finality, by the courts because of the special knowledge and expertise of administrative departments over matters falling under their jurisdiction.[57]

Finally, anent petitioners' lamentation that they had been denied due process, we differ. In administrative proceedings, a fair and reasonable opportunity to explain one's side suffices to meet the requirements of due process.[58] As we held in *Casimiro v. Tandog*: [59]

The essence of procedural due process is embodied in the basic requirement of notice and a real opportunity to

be heard. In administrative proceedings, such as in the case at bar, procedural due process simply means the opportunity to explain one's side or the opportunity to seek a reconsideration of the action or ruling complained of. "To be heard" does not mean only verbal arguments in court; one may be heard also thru pleadings. Where opportunity to be heard, either through oral arguments or pleadings, is accorded, there is no denial of procedural due process.[60]

We, therefore, agree with the Court of Appeals that –

Petitioners' contention x x x is bereft of merit. From the proceedings before the Barangay Agrarian Reform Council (BARC) up to the DARAB, petitioners were given all notices and chances to submit all necessary or required pleadings. From the Regional Adjudicator, they appealed to the DARAB and thereafter filed a Motion for Reconsideration x x x. All these show that they were given ample opportunity to present their side. Due process simply demands an opportunity to be heard and this opportunity was not denied petitioners.[61]

WHEREFORE, the Petition is DENIED. The Decision of the Court of Appeals dated October 20, 2003, as well as its Resolution dated November 25, 2003, in CA-G.R. SP No. 72388, are AFFIRMED.

SO ORDERED.

Velasco, Jr., (Chairperson), Abad, Mendoza, and Perlas-Bernabe, JJ., concur.

[1] Penned by Associate Justice Remedios A. Salazar-Fernando, with Associate Justices Eubulo G. Verzola and Edgardo F. Sundiam (deceased), concurring; rollo, pp. 44-52.

[2] Rollo, p. 54.

[3] See Transfer Certificate of Title Nos. M-1677, M-1679 and M-1680 of the Register of Deeds of Rizal which cover respectively parcels of land measuring 19,215 sq. m. (Lot No. 83); 7,977 sq. m. (Lot No. 85); and 13,640 (Lot No. 102), records, pp. 13-17.

[4] See RARAD Decision, records, pp. 334-336.

[5] Id. at. 333.

[6] Id. at 335.

[7] Letter dated May 21, 1990, id. at 156.

[8] The petition was docketed as DARAB Case No. IV-RI-006-95; id. at 1-4.

[9] Records, pp. 1-4.

[10] Id. at 21-24, 30.

[11] Id. at 342-343. The decision was signed by Regional Adjudicator Fe Arche-Manalang.

[12] Id. at 404.

[13] Rollo, pp. 123-132.

[14] Id. at 136.

[15] Docketed as CA-G.R. SP No. 72388, CA rollo, pp. 2-29.

[16] CA rollo, pp. 15-27.

[17] Id. at 334.

[18] Id.

[19] Id. at 333.

[20] Id. at 336-340.

[21] Id. at 349.

[22] Rollo, pp. 22-32.

[23] Id. at 499-500.

[24] SEC. 60. Appeals. - An appeal may be taken from the decision of the Special Agrarian Courts by filing a petition for review with the Court of Appeals within fifteen (15) days from receipt of notice of the decision; otherwise, the decision shall become final.

An appeal from the decision of the Court of Appeals, or from any order, ruling or decision of DAR, as the case may be, shall be by a petition for review with the Supreme Court within a non-extendible period of fifteen (15) days from receipt of a copy of said decision.

[25] Sec. 61. Procedure on Review. - Review by the Court of Appeals or the Supreme Court, as the case may be, shall be governed by the Rules of Court. x x x.

[26] Supra note 24.

[27] AN ACT EXPANDING THE JURISDICTION OF THE COURT OF APPEALS, AMENDING FOR THE PURPOSE SECTION NINE OF BATAS PAMBANSA BLG. 129, AS AMENDED, KNOWN AS THE JUDICIARY REORGANIZATION ACT OF 1980, approved: on February 23, 1995

[28] Section 1. Section 9 of Batas Pambansa Blg. 129, as amended, known as the Judiciary Reorganization Act of 1980, is hereby further amended to read as follows:

Sec. 9. Jurisdiction. — The Court of Appeals shall exercise:

x 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, including the Securities and Exchange Commission, the Social Security Commission, the Employees' Compensation Commission and the Civil Service Commission, except those falling within the appellate jurisdiction of the Supreme Court in accordance with the Constitution, the Labor Code of the Philippines under Presidential Decree No. 442, as amended, 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.

[29] Dated May 16, 1995. This Circular was incorporated in what is now Rule 43 of the Rules of Court.

[30] GUIDELINES TO BE OBSERVED IN APPEALS TO THE COURT OF APPEALS AND TO THE SUPREME COURT, dated March 9, 1990.

[31] Po v. Dampal, G.R. No. 173329, December 21, 2009, 608 SCRA 627, 633-634, citing Hanjin Engineering and Construction Co., Ltd. v. Court of Appeals, G.R. No. 165910, April 10, 2006, 487 SCRA 78, 100.

[32] Rollo, pp. 23-26.

[33] The case was docketed as Civil Case No. 316 in the Municipal Circuit Trial Court of Pililla, Rizal. See the October 22, 1990 judgment rendered in that case, records, pp. 204-207.

[34] See CA rollo, pp. 209-216, 208.

[35] The complaint was docketed as Civil Case No. 494-M in the Regional Trial Court of Morong, Rizal, records, pp. 146-150.

[36] See Complaint for Recovery of Possession, rollo, p. 199, and the Judgment rendered in the forcible entry case, records, p. 205.

[37] Rollo, pp. 148-150.

[38] Records, p. 229-231.

[39] June 25, 1990 BARC Report, id. at 229.

[40] Id. at 229.

[41] Id. at 230.

[42] Id. at 229.

[43] Id. at 230.

[44] Id.

[45] SEC. 50. Quasi-Judicial Powers of the DAR. - The DAR is hereby vested with primary jurisdiction to determine and adjudicate agrarian reform matters and shall have exclusive original jurisdiction over all matters involving the implementation of agrarian reform, except those falling under the exclusive jurisdiction of the Department of Agricultural (DA) and the Department of Environment and Natural Resources (DENR).

It shall not be bound by technical rules of procedure and evidence but shall proceed to hear and decide all cases, disputes or controversies in a most expeditious manner, employing all reasonable means to ascertain the facts of every case in accordance with equity and the merits of the case. Toward this end, it shall adopt a uniform rule of procedure to achieve a just, expeditious and inexpensive determination of every action or proceeding before it.

It shall have the power to summon witnesses, administer oaths, take testimony, require submission of reports, compel the production of books and documents and answers to interrogatories and issue subpoena, and subpoena duces tecum and to enforce its writs through sheriffs or other duly deputized officers. It shall likewise have the power to punish direct and indirect contempt in the same manner and subject to the same penalties as provided in the Rules of Court .

Representatives of farmer leaders shall be allowed to represent themselves, their fellow farmers or their organizations in any proceedings before the DAR: Provided, however, that when there are two or more representatives for any individual or group, the representatives should choose only one among themselves to represent such party or group before any DAR proceedings.

Notwithstanding an appeal to the Court of Appeals, the decision of the DAR shall be immediately executory.

[46] *Rivera v. Santiago*, G.R. No. 146501, August 28, 2003, 410 SCRA 113, 122, cited in the fairly recent case *Octavio v. Perovano*, G.R. No. 172400, June 23, 2009, 590 SCRA 574, 584.

[47] See *Octavio v. Perovano*, supra, at 584-585, citing *Amurao v. Villalobos*, G.R. No. 157491, June 20, 2006, 491 SCRA 464, 474.

[48] Soriano v. Bravo, G.R. No. 152086. December 15, 2010, 638 SCRA 403, 421-422, citing Heirs of Julian dela Cruz v. Heirs of Alberto Cruz, G.R. No. 162890, November 22, 2005, 475 SCRA 743.

[49] Agapito Rom, et al., v. Roxas & Co., Inc., G.R. No. 169331, September 5, 2011.

[50] Records, p. 341.

[51] Section 27. Prohibitions to Agricultural Lessee. – x x x

x x x x

(2) To employ a sublessee on his landholding: provided, however, that in case of illness or temporary incapacity he may employ laborers whose services on his landholding shall be on his account.

[52] AN ACT TO ORDAIN THE AGRICULTURAL LAND REFORM CODE AND TO INSTITUTE LAND REFORMS IN THE PHILIPPINES, INCLUDING THE ABOLITION OF TENANCY AND THE CHANNELING OF CAPITAL INTO INDUSTRY, PROVIDE FOR THE NECESSARY IMPLEMENTING AGENCIES, APPROPRIATE FUNDS THEREFOR AND FOR OTHER PURPOSES, approved August 8, 1963.

[53] Section 24. Prohibitions to tenant. – x x x

x x x x

(2) It shall be unlawful for a share-tenant to employ a sub-tenant to furnish labor or any phase of the work required of him under this Act, except in cases of illness or any temporary incapacity on his part, in which eventuality the tenant or any member of his immediate farm household is under obligation to report such illness or incapacity to the landholder. Payment to the sub-tenant, in whatever form, for services rendered on the land under this circumstance, shall be for the account of the tenant.

[54] AN ACT TO GOVERN THE RELATIONS BETWEEN LANDHOLDERS AND TENANTS OF AGRICULTURAL LANDS (LEASEHOLDS AND SHARE TENANCY), approved August 30, 1954.

[55] Records, pp. 340-341.

[56] Id. at 338-339.

[57] Octavio v. Perovano, supra note 46, at 585, citing Pasong Bayabas Farmers Association, Inc. v. Court of Appeals, G.R. No. 142359, May 25, 2004, 429 SCRA 109, 130-131.

[58] Autencio v. City Administrator Mañara and the City of Cotabato, G.R. No. 152752, January 19, 2005, 449 SCRA 46, 55, cited in Department of Agrarian Reform v. Samson, G.R. Nos. 161910, 161930 June 17, 2008, 554 SCRA 500, 509.

[59] G.R. No. 146137, June 8, 2005, 459 SCRA 624, cited in DAR v. Samson, supra.

[60] Id. at 631.

[61] CA rollo, p. 333.

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