

**PHILIPPINE WOMAN'S CHRISTIAN TEMPERANCE UNION, INC.,
PETITIONER, VS. TEODORO R. YANGCO 2ND AND 3RD GENERATION
HEIRS FOUNDATION, INC., RESPONDENT.**

G.R. No. 199595. April 02, 2014

Ponente: REYES, J.

Read online (full-text search, related cases, audio case brief): <https://batas.org/library/g-r-no-199595/>

REYES, J.:

This is a petition for certiorari and prohibition[1] under Rule 65 of the Rules of Court seeking the issuance of an order commanding the Register of Deeds of Quezon City and the Court Sheriff of the Regional Trial Court (RTC) of Quezon City, Branch 218, to cease and desist from implementing the Court Resolutions dated July 21, 2010[2] and September 15, 2010[3] in G.R. No. 190193 denying with finality Philippine Woman's Christian Temperance Union, Inc.'s (PWCTUI) petition for review of the Court of Appeals (CA) Decision[4] dated November 6, 2009 in CA-G.R. CV No. 90763 which affirmed the Decision[5] dated January 24, 2008 of the RTC in LRC Case No. Q-18126(04) disposing as follows:

WHEREFORE, the Register of Deeds of Quezon City is hereby ordered to cancel TCT No. 20970 T-22702 and issue in lieu thereof a new title in the name of Teodoro R. Yangco 2[nd] and 3[rd] Generation Heirs Foundation, Inc. free from all liens and encumbrances.

SO ORDERED.[6]

PWCTUI also prays, as ancillary remedy, for the re-opening of LRC Case No. Q-18126(04) and as provisional remedy, for the issuance of a temporary restraining order (TRO) and/or a writ of preliminary injunction.

The Antecedents

On May 19, 2004, respondent Teodoro R. Yangco (2nd and 3rd Generation Heirs) Foundation, Inc. (TRY Foundation) filed before the RTC of Quezon City, acting as a Land Registration Court, a Petition for the Issuance of New Title in Lieu of Transfer Certificate of Title (TCT) No. 20970 T-22702 of the Office of the Register of Deeds of Quezon City docketed as LRC Case No. Q-18126(04).[7]

TRY Foundation alleged that it is composed of the 2nd and 3rd generation heirs and successors-in-interest to the first generation testamentary heirs of the late philanthropist Teodoro R. Yangco (Yangco) who donated on May 19, 1934 a 14,073-square meter parcel of land (subject property) located at 21 Boni Serrano Avenue, Quezon City in the following manner,[8] viz:

a) the property shall be used as a site for an institution to be known as the Abiertras House of Friendship the purpose of which shall be to provide a Home for needy and unfortunate women and girls, including children of both sexes and promote, foster all efforts, work and activities looking toward their protection from the ravages of all forms of immoralities;

b) Should the property herein be used for any other purpose or purposes not herein specified, the present gift shall become ipso facto null and void and property given shall automatically revert to the donor, his heirs and

assigns, but any improvement or improvements placed, constructed and/or maintained on said premises by the Donee, shall remain the property of said Donee to be by it removed there[f]rom (sic) at its expense after reasonable notice from the donor, his heirs and assigns.[9]

The property was registered in the name of PWCTUI by virtue of TCT No. 20970 at the back of which the above-quoted conditions of the donation were annotated. PWCTUI is a non-stock, non-profit corporation originally registered with the Securities and Exchange Commission (SEC) in 1929 under SEC Registration No. PW-959.[10]

PWCTUI's corporate term expired in September 1979.[11] Five years thereafter, using the same corporate name, PWCTUI obtained SEC Registration No. 122088[12] and forthwith applied for the issuance of a new owner's duplicate copy of TCT No. 20970 over the subject property thru LRC Case No. 22702. The application was granted and PWCTUI was issued a new TCT No. 20970 T-22702[13] which, however, bore only the first condition imposed on the donation.

Recounting the foregoing episodes, TRY Foundation claimed that the expiration of PWCTUI's corporate term in 1979 effectively rescinded the donation pursuant to the "unwritten resolutive condition" deemed written by Article 1315 of the Civil Code[14] prescribing that the Corporation Code, specifically Section 122[15] thereof, be read into the donation. Interestingly the latter provision mandates dissolved corporation to wind up their affairs and dispose of their assets within three years from the expiration of their term. Being comprised of the heirs of the donor, TRY Foundation claimed that it is entitled to petition for the issuance of a new title in their name pursuant to Section 108 of Presidential Decree (P.D.) No. 1529.[16] TRY Foundation prayed for the issuance of a new title in its name after the cancellation of PWCTUI's TCT No. 20970 T-22702.

PWCTUI opposed the petition arguing that: (1) TRY Foundation has no legal personality to bring the action because the donation has never been revoked and any right to demand for its revocation already prescribed; (2) although PCWTUI's corporate term was not extended upon its expiration in 1979, it nonetheless registered anew and continued the operations, affairs and social work of the corporation; it also continued to possess the property and exercised rights of ownership over it; (3) only the appropriate government agency and not TRY Foundation or any other private individual can challenge the corporate life and existence of PCWTUI; (4) TRY Foundation and its counsel are guilty of forum shopping because they have already questioned PWCTUI's corporate personality in a different forum but failed to obtain a favorable relief; (5) TRY Foundation is guilty of fraud for failing to include PWCTUI as an indispensable party and to furnish it with a copy of the petition; and (6) the RTC has no jurisdiction over the petition because PWCTUI is unaware of its publication.[17]

In a Resolution dated April 4, 2005, the RTC denied the Opposition[18] of PWCTUI. According to the trial court, when the corporate life of PWCTUI expired in 1979, the property ceased to be used for the purpose for which it was intended, hence, it automatically reverted to Yangco. As such, TRY Foundation, being composed of his heirs, is considered "other person in interest" under Section 108 of P.D. No. 1529 with a right to file a petition for the issuance of title over the property.

Hearings were thereafter held for the reception of evidence of TRY Foundation. On January 24, 2008, the RTC rendered its Decision[19] sustaining TRY Foundation's petition.

The RTC ruled that PWCTUI, with SEC Registration No. PW-959 in whose name the property was registered is separate and distinct from oppositor PWCTUI with SEC Registration No. 122088. The legal personality of PWCTUI (PW-959) ipso facto ended when its registration expired in September 1979. The new PWCTUI (122088) has its own personality separate and distinct from PWCTUI (PW-959) hence the latter is not the donee and thus has no claim to the property. As such, the reversion clause in the donation came about and the property

must revert to the donor or his heirs, thus:

It is clear that Don Teodoro R. Yangco is the primary reversion owner of the property. He is succeeded as reversion owner by the first generation heirs or those testamentary heirs named in his Last Will and Testament which will was admitted to probate by the Supreme Court in the abovesited case. The second generation heirs are the nieces and nephews of Don Teodoro R. Yangco and the sons/daughters of the “strangers” named in the will. The second generation heirs succeeded the first generation/testamentary heirs in their own right. x x x.[20] (Citations omitted)

The RTC granted TRY Foundation’s petition by ordering the cancellation of PWCTUI’s TCT No. 20970 T-22702 and the issuance of a new title in the name of TRY Foundation.[21]

PWCTUI appealed to the CA, arguing, among others, that it must be determined whether the condition imposed in the donation has already occurred or deemed fulfilled. The appeal was docketed as CA-G.R. CV No. 90763. In its Decision[22] dated November 6, 2009, the CA affirmed the RTC’s findings. The CA added that the subsequent re-registration of PWCTUI (122088) did not revive or continue the corporate existence of PWCTUI (PW-959). Hence, PWCTUI (122088) is not the real donee contemplated in the donation made by Yangco and as such any issue on revocation of donation is improper. The CA Decision disposed thus:

WHEREFORE, the appeal is DENIED. The assailed Decision is AFFIRMED in toto. Costs against [PWCTUI].

SO ORDERED.[23]

PWCTUI sought recourse with the Court thru a petition for review on certiorari docketed as G.R. No. 190193. In a Resolution[24] dated July 21, 2010, we denied the petition for failure to sufficiently show any reversible error in the assailed CA decision. PWCTUI moved for reconsideration but its motion was denied with finality in another Resolution[25] dated September 15, 2010. An entry of judgment was thereafter issued stating that the Court Resolution dated July 21, 2010 became final and executory on October 20, 2010.[26]

On December 23, 2011, PWCTUI filed the herein petition captioned as one for “Prohibition & Certiorari and to Re-Open the Case with Prayer for Issuance of Temporary Restraining Order (TRO) &/or Writ of Preliminary Injunction.”[27] PWCTUI prayed for the following reliefs:

- a.) a TRO and/or a writ of preliminary injunction be issued preventing and/or enjoining public respondents, Register of Deeds of Quezon City and the Sheriff of the RTC of Quezon City, Branch 218 from executing the RTC Decision dated January 24, 2008;
- b.) to make the injunction permanent by annulling and setting aside all orders, decisions, resolutions and proceedings issued and taken in relation to LRC Case No. Q-18126(04) before the trial and appellate courts for having been promulgated in excess of jurisdiction or with grave abuse of discretion; and
- c.) LRC Case No. Q-18126(04) be re-opened, re-considered and re-studied in the interest of true and fair justice.

In support of its pleas, PWCTUI submitted the following arguments:

- a. based on the deed of donation, the expiration of PWCTUI’s corporate term is not stated as a ground for the nullification of the donation and the operation of the reversion clause;
- b. the commercial leasing of portions of the donated land did not violate the condition in the donation because the lease contract with Jelby Acres was pursued for the generation of funds in order for PWCTUI to carry on the charitable purposes of the Abiertas House of Friendship;

c. TRY Foundation has no legal standing or cause of action to claim the land because its members are not the true heirs of Yangco who died single and without descendants. His only relatives are his half-siblings who are the legitimate children of his mother, Doña Ramona Arguelles Corpus and her first husband Tomas Corpus, hence, no right of inheritance ab intestato can take place between them pursuant to Article 992 of the Civil Code; and

d. Even assuming that TRY Foundation has a cause of action for the revocation of the donation, the same has already prescribed because more than 40 years has lapsed from the date the donation was made in May 19, 1934.

The Court's Ruling

On its face, it is immediately apparent that the petition merits outright dismissal in view of the doctrine of immutability attached to the Court's final and executory Resolutions dated July 21, 2010 and September 15, 2010 in G.R. No. 190193.

The doctrine postulates that a decision that has acquired finality becomes immutable and unalterable, and may no longer be modified in any respect, even if the modification is meant to correct erroneous conclusions of fact and law, and whether it is made by the court that rendered it or by the Highest Court of the land. Any act which violates this principle must immediately be struck down.[28]

A long and intent study, however, of the arguments raised in the present recourse vis-à-vis the proceedings taken in LRC Case No. Q-18126(04) disclose that it is necessary, obligatory even, for the Court to accord affirmative consideration to the supplications tendered by PWCTUI in the petition at bar.

While firmly ingrained as a basic procedural tenet in Philippine jurisprudence, immutability of final judgments was never meant to be an inflexible tool to excuse and overlook prejudicial circumstances. The doctrine must yield to practicality, logic, fairness and substantial justice. Hence, its application admits the following exceptions: (1) the correction of clerical errors; (2) the so-called nunc pro tunc entries which cause no prejudice to any party; (3) void judgments; and (4) whenever circumstances transpire after the finality of the decision rendering its execution unjust and inequitable.[29]

Here, the third exception is attendant. The nullity of the RTC judgment and all subsequent rulings affirming the same, render inoperative the doctrine of immutability of judgment, and consequently justify the propriety of giving due course to the present petition.

To expound, the RTC judgment in LRC Case No. Q-18126(04) and all proceedings taken in relation thereto were void because the RTC did not acquire jurisdiction over the fundamental subject matter of TRY Foundation's petition for the issuance of a title which was in reality, a complaint for revocation of donation, an ordinary civil action outside the ambit of Section 108 of P.D. No. 1529.

The petition filed by TRY Foundation was a disguised complaint for revocation of donation.

It has been held that the jurisdiction of a court over the subject matter of a particular action is determined by the plaintiff's allegations in the complaint and the principal relief he seeks in the light of the law that apportions the jurisdiction of courts.[30] Jurisdiction should be determined by considering not only the status or the relationship of the parties but also the nature of the issues or questions that is the subject of the controversy.[31]

The petition is premised on allegations that the deed of donation from whence PWCTUI derived its title was automatically revoked when the latter's original corporate term expired in 1979. Consequently, reversion took

effect in favor of the donor and/or his heirs. As relief, TRY Foundation sought the cancellation of TCT No. 20970 T-22702 and the issuance of a new title in its name, to wit:

WHEREFORE, in view of all the foregoing, it is respectfully prayed of the Hon. Court that after due hearing, the Hon. Court render judgment:

Ordering the Register of Deeds of Quezon City to cancel TCT No. 20970 T-22702 and issue in lieu thereof a new title in the name of TRY Heirs (2nd and 3rd Generation) Heirs Foundation, Inc. free from all liens and encumbrances.[32]

The above contentions and plea betray the caption of the petition. Observably, TRY Foundation is actually seeking to recover the possession and ownership of the subject property from PWCTUI and not merely the cancellation of PWCTUI's TCT No. 20970 T-22702. The propriety of pronouncing TRY Foundation as the absolute owner of the subject property rests on the resolution of whether or not the donation made to PWCTUI has been effectively revoked when its corporate term expired in 1979. Stated otherwise, no judgment proclaiming TRY Foundation as the absolute owner of the property can be arrived at without declaring the deed of donation revoked.

The Court made a similar observation in *Dolar v. Barangay Lublub* (now P.D. Monfort North), Municipality of Dumangas,[33] the facts of which bear resemblance to the facts at hand. In *Dolar*, the petitioner filed a complaint for quieting of title and recovery of possession with damages involving a land he had earlier donated to the respondent. The petitioner claimed that the donation had ceased to be effective when the respondent failed to comply with the conditions of the donation. As relief, the petitioner prayed that he be declared the absolute owner of the property. The complaint was dismissed by the trial court on the ground that the petitioner's cause of action for revocation has already prescribed and as such, its claim for quieting of title is ineffective notwithstanding that the latter cause of action is imprescriptible. In sustaining such dismissal, the Court remarked:

As aptly observed by the trial court, the petitory portion of petitioner's complaint in Civil Case No. 98-033 seeks for a judgment declaring him the absolute owner of the donated property, a plea which necessarily includes the revocation of the deed of donation in question. Verily, a declaration of petitioner's absolute ownership appears legally possible only when the deed of donation is contextually declared peremptorily revoked.

x x x x

It cannot be overemphasized that respondent barangay traces its claim of ownership over the disputed property to a valid contract of donation which is yet to be effectively revoked. Such rightful claim does not constitute a cloud on the supposed title of petitioner over the same property removable by an action to quiet title. Withal, the remedy afforded in Article 476 of the Civil Code is unavailing until the donation shall have first been revoked in due course under Article 764 or Article 1144 of the Code.[34]

An action which seeks the recovery
of property is outside the ambit of
Section 108 of P.D. No. 1529.

Whether the donation merits revocation and consequently effect reversion of the donated property to the donor and/or his heirs cannot be settled by filing a mere petition for cancellation of title under Section 108 of P.D. No. 1529 which reads:

Sec. 108. Amendment and alteration of certificates. – No erasure, alteration, or amendment shall be made upon the registration book after the entry of a certificate of title or of a memorandum thereon and the attestation of the same by the Register of Deeds, except by order of the proper Court of First Instance. A registered owner or

other person having interest in the registered property, or, in proper cases, the Register of Deeds with the approval of the Commissioner of Land Registration, may apply by petition to the court upon the ground that the registered interest of any description, whether vested, contingent, expectant or inchoate appearing on the certificate, have terminated and ceased; or that new interest not appearing upon the certificate have arisen or been created; or that an omission or an error was made in entering a certificate or any memorandum thereon, or on any duplicate certificate: or that the same or any person in the certificate has been changed or that the registered owner has married, or, if registered as married, that the marriage has been terminated and no right or interest of heirs or creditors will thereby be affected; or that a corporation which owned registered land and has been dissolved has not yet convened the same within three years after its dissolution; or upon any other reasonable ground; and the court may hear and determine the petition after notice to all parties in interest, and may order the entry or cancellation of a new certificate, the entry or cancellation of a memorandum upon a certificate, or grant any other relief upon such terms and conditions, requiring security and bond if necessary, as it may consider proper; Provided, however, That this section shall not be construed to give the court authority to reopen the judgment or decree of registration, and that nothing shall be done or ordered by the court which shall impair the title or other interest of a purchaser holding a certificate for value and in good faith, or his heirs and assigns without his or their written consent. Where the owner's duplicate certificate is not presented, a similar petition may be filed as provided in the preceding section.

All petitions or motions filed under this section as well as any other provision of this decree after original registration shall be filed and entitled in the original case in which the decree of registration was entered.

A parallel issue was encountered by the Court in *Paz v. Republic of the Philippines*,^[35] which involved a petition for the cancellation of title brought under the auspices of Section 108 of P.D. No. 1529. The petition sought the cancellation of Original Certificate of Title No. 684 issued thru LRC Case No. 00-059 in favor of the Republic, Filinvest Development Corporation and Filinvest Alabang, Inc., and the issuance of a new title in the name of the petitioner therein. The petition was dismissed by the RTC. The dismissal was affirmed by the CA and eventually by this Court on the following reasons:

We agree with both the CA and the RTC that the petitioner was in reality seeking the reconveyance of the property covered by OCT No. 684, not the cancellation of a certificate of title as contemplated by Section 108 of P.D. No. 1529. Thus, his petition did not fall under any of the situations covered by Section 108, and was for that reason rightly dismissed.

Moreover, the filing of the petition would have the effect of reopening the decree of registration, and could thereby impair the rights of innocent purchasers in good faith and for value. To reopen the decree of registration was no longer permissible, considering that the one-year period to do so had long ago lapsed, and the properties covered by OCT No. 684 had already been subdivided into smaller lots whose ownership had passed to third persons. x x x.

x x x x

Nor is it subject to dispute that the petition was not a mere continuation of a previous registration proceeding. Shorn of the thin disguise the petitioner gave to it, the petition was exposed as a distinct and independent action to seek the reconveyance of realty and to recover damages. Accordingly, he should perform jurisdictional acts, like paying the correct amount of docket fees for the filing of an initiatory pleading, causing the service of summons on the adverse parties in order to vest personal jurisdiction over them in the trial court, and attaching a certification against forum shopping (as required for all initiatory pleadings). He ought to know that his taking such required acts for granted was immediately fatal to his petition, warranting the granting of the respondents' motion to dismiss.^[36]

By analogy, the above pronouncements may be applied to the controversy at bar considering that TRY Foundation's exposed action for revocation of the donation necessarily includes a claim for the recovery of the

subject property.

The circumstances upon which the ruling in Paz was premised are attendant in the present case. The petition of TRY Foundation had the effect of reopening the decree of registration in the earlier LRC Case No. 20970 which granted PWCTUI's application for the issuance of a new owner's duplicate copy of TCT No. 20970. As such, it breached the caveat in Section 108 that "this section shall not be construed to give the court authority to reopen the judgment or decree of registration." The petition of TRY Foundation also violated that portion in Section 108 stating that "all petitions or motions filed under this section as well as any other provision of this decree after original registration shall be filed and entitled in the original case in which the decree of registration was entered." The petition of TRY Foundation in LRC Case No. Q-18126(04) was clearly not a mere continuation of LRC Case No. 20970.

Further, the petition filed by TRY Foundation is not within the province of Section 108 because the relief thereunder can only be granted if there is unanimity among the parties, or that there is no adverse claim or serious objection on the part of any party in interest.[37] Records show that in its opposition to the petition, PWCTUI maintained that it "remains and continues to be the true and sole owner in fee simple of the property" and that TRY Foundation "has no iota of right" thereto.[38]

More so, the enumerated instances for amendment or alteration of a certificate of title under Section 108 are non-controversial in nature. They are limited to issues so patently insubstantial as not to be genuine issues. The proceedings thereunder are summary in nature, contemplating insertions of mistakes which are only clerical, but certainly not controversial issues.[39] Undoubtedly, revocation of donation entails litigious and controversial matters especially in this case where the condition supposedly violated by PWCTUI is not expressly stated in the deed of donation. Thus, it is imperative to conduct an exhaustive examination of the factual and legal bases of the parties' respective positions for a complete determination of the donor's desires. Certainly, such objective cannot be accomplished by the court through the abbreviated proceedings of Section 108.

In fact, even if it were specifically imposed as a ground for the revocation of the donation that will set off the automatic reversion of the donated property to the donor and/or his heirs, court intervention is still indispensable.

As ruled in *Vda. de Delgado v. CA*,[40] "[a]lthough automatic reversion immediately happens upon a violation of the condition and therefore no judicial action is necessary for such purpose, still judicial intervention must be sought by the aggrieved party if only for the purpose of determining the propriety of the rescission made." [41] In addition, where the donee denies the rescission of the donation or challenges the propriety thereof, only the final award of the court can conclusively settle whether the resolution is proper or not.[42] Here, PWCTUI unmistakably refuted the allegation that the expiration of its corporate term in 1979 rescinded the donation.

Lastly, the issues embroiled in revocation of donation are litigable in an ordinary civil proceeding which demands stricter jurisdictional requirements than that imposed in a land registration case.

Foremost of which is the requirement on the service of summons for the court to acquire jurisdiction over the persons of the defendants. Without a valid service of summons, the court cannot acquire jurisdiction over the defendant, unless the defendant voluntarily submits to it. Service of summons is a guarantee of one's right to due process in that he is properly apprised of a pending action against him and assured of the opportunity to present his defenses to the suit.[43]

In contrast, jurisdiction in a land registration cases being a proceeding in rem, is acquired by constructive seizure of the land through publication, mailing and posting of the notice of hearing.[44] Persons named in the application are not summoned but merely notified of the date of initial hearing on the petition.[45]

The payment of docket fees is another jurisdictional requirement for an action for revocation which was absent in the suit filed by TRY Foundation. On the other hand, Section 111 of P.D. No. 1529 merely requires the payment of filing fees and not docket fees.

Filing fees are intended to take care of court expenses in the handling of cases in terms of cost of supplies, use of equipment, salaries and fringe benefits of personnel, etc., computed as to man hours used in handling of each case. Docket fees, on the other hand, vest the trial court jurisdiction over the subject matter or nature of action.[46]

The absence of the above jurisdictional requirements for ordinary civil actions thus prevented the RTC, acting as a land registration court, from acquiring the power to hear and decide the underlying issue of revocation of donation in LRC Case No. Q-18126(04). Any determination made involving such issue had no force and effect; it cannot also bind PWCTUI over whom the RTC acquired no jurisdiction for lack of service of summons.

“Jurisdiction is the power with which courts are invested for administering justice; that is, for hearing and deciding cases. In order for the court to have authority to dispose of the case on the merits, it must acquire jurisdiction over the subject matter and the parties.”[47]

Conclusion

All told, the RTC, acting as a land registration court, had no jurisdiction over the actual subject matter contained in TRY Foundation’s petition for issuance of a new title. TRY Foundation cannot use the summary proceedings in Section 108 of P.D. No. 1529 to rescind a contract of donation as such action should be threshed out in ordinary civil proceedings. In the same vein, the RTC had no jurisdiction to declare the donation annulled and as a result thereof, order the register of deeds to cancel PWCTUI’s TCT No. 20970 T-22702 and issue a new one in favor of TRY Foundation.

The RTC, acting as a land registration court, should have dismissed the land registration case or re-docketed the same as an ordinary civil action and thereafter ordered compliance with stricter jurisdictional requirements. Since the RTC had no jurisdiction over the action for revocation of donation disguised as a land registration case, the judgment in LRC Case No. Q-18126(04) is null and void. Being void, it cannot be the source of any right or the creator of any obligation. It can never become final and any writ of execution based on it is likewise void.[48] It may even be considered as a lawless thing which can be treated as an outlaw and slain at sight, or ignored wherever and whenever it exhibits its head.[49]

Resultantly, the appellate proceedings relative to LRC Case No. Q-18126(04) and all issuances made in connection with such review are likewise of no force and effect. A void judgment cannot perpetuate even if affirmed on appeal by the highest court of the land. All acts pursuant to it and all claims emanating from it have no legal effect.[50]

The Court Resolutions dated July 21, 2010 and September 15, 2010 do not bar the present ruling.

It is worth emphasizing that despite PWCTUI’s incessant averment of the RTC’s lack of jurisdiction over TRY Foundation’s petition, the trial court shelved the issue, took cognizance of matters beyond those enveloped under Section 108 and sorted out, in abridged proceedings, complex factual issues otherwise determinable in a full-blown trial appropriate for an ordinary civil action.

PWCTUI no longer raised the jurisdiction issue before the CA and limited its appeal to the factual findings and

legal conclusions of the RTC on its corporate existence and capacity as the subject property's uninterrupted owner. The matter reached the Court thru a petition for review under Rule 45, but with the question of jurisdiction absent in the appellate pleadings, the Court was constrained to review only mistakes of judgment.

While PWCTUI could have still challenged the RTC's jurisdiction even on appeal, its failure to do so cannot work to its disadvantage. The issue of jurisdiction is not lost by waiver or by estoppel; no laches will even attach to a judgment rendered without jurisdiction.[51]

Hence, since the Court Resolutions dated July 21, 2010 and September 15, 2010 in G.R. No. 190193 disposed the case only insofar as the factual and legal questions brought before the CA were concerned, they cannot operate as a procedural impediment to the present ruling which deals with mistake of jurisdiction.

This is not to say, however, that a certiorari before the Court is a remedy against its own final and executory judgment. As made known in certain cases, the Court is invested with the power to suspend the application of the rules of procedure as a necessary complement of its power to promulgate the same.[52] *Barnes v. Hon. Quijano Padilla*[53] discussed the rationale for this tenet, viz:

Let it be emphasized that the rules of procedure should be viewed as mere tools designed to facilitate the attainment of justice. Their strict and rigid application, which would result in technicalities that tend to frustrate rather than promote substantial justice, must always be eschewed. Even the Rules of Court reflect this principle. The power to suspend or even disregard rules can be so pervasive and compelling as to alter even that which this Court itself has already declared to be final, x x x.

The emerging trend in the rulings of this Court is to afford every party litigant the amplest opportunity for the proper and just determination of his cause, free from the constraints of technicalities. Time and again, this Court has consistently held that rules must not be applied rigidly so as not to override substantial justice.[54] (Citation omitted and italics supplied)

Here, the grave error in jurisdiction permeating the proceedings taken in LRC Case No. Q-18126(04) deprived PWCTUI of its property without the very foundation of judicial proceedings – due process. Certainly, the Court cannot let this mistake pass without de rigueur rectification by suspending the rules of procedure and permitting the present recourse to access auxiliary review.

If the Court, as the head and guardian of the judicial branch, must continuously merit the force of public trust and confidence — which ultimately is the real source of its sovereign power — and if it must decisively discharge its sacred duty as the last sanctuary of the oppressed and the weak, it must, in appropriate cases, pro-actively provide weary litigants with immediate legal and equitable relief, free from the delays and legalistic contortions that oftentimes result from applying purely formal and procedural approaches to judicial dispensations.[55]

WHEREFORE, all things studiedly viewed in the correct perspective, the petition is hereby GRANTED. All proceedings taken, decisions, resolutions, orders and other issuances made in LRC Case No. Q-18126(04), CA-G.R. CV No. 90763 and G.R. No. 190193 are hereby ANNULLED and SET ASIDE.

The Register of Deeds of Quezon City is hereby ORDERED to CANCEL any Transfer Certificate of Title issued in the name of Teodoro R. Yangco 2nd and 3rd Generation Heirs Foundation, Inc. as a consequence of the execution of the disposition in LRC Case No. Q-18126(04), and to REINSTATE Transfer Certificate of Title No. 20970 T-22702 in the name of Philippine Woman's Christian Temperance Union, Inc.

SO ORDERED.

Sereno, C.J., (Chairperson), Leonardo-De Castro, Bersamin, and Villarama, Jr., JJ., concur.

[1] Rollo, pp. 3-30.

[2] Id. at 32.

[3] Id. at 33.

[4] Penned by Associate Justice Normandie B. Pizarro, with Associate Justices Rosalinda Asuncion-Vicente and Ricardo R. Rosario, concurring; id. at 134-143.

[5] Issued by Judge Hilario L. Laqui; id. at 103-114.

[6] Id. at 114.

[7] Id. at 81-85.

[8] Id. at 103-104.

[9] Id. at 82.

[10] Id. at 34-38.

[11] Id. at 87.

[12] Id. at 51-60.

[13] Id. at 61-66.

[14] Art. 1315. Contracts are perfected by mere consent, and from that moment the parties are bound not only to the fulfillment of what has been expressly stipulated but also to all the consequences which, according to their nature, may be in keeping with good faith, usage and law.

[15] Sec. 122. Corporate liquidation. – Every corporation whose charter expires by its own limitation or is annulled by forfeiture or otherwise, or whose corporate existence for other purposes is terminated in any other manner, shall nevertheless be continued as a body corporate for three (3) years after the time when it would have been so dissolved, for the purpose of prosecuting and defending suits by or against it and enabling it to settle and close its affairs, to dispose of and convey its property and to distribute its assets, but not for the purpose of continuing the business for which it was established.

At any time during said three (3) years, the corporation is authorized and empowered to convey all of its property to trustees for the benefit of stockholders, members, creditors, and other persons in interest. From and after any such conveyance by the corporation of its property in trust for the benefit of its stockholders, members, creditors and others in interest, all interest which the corporation had in the property terminates, the legal interest vests in the trustees, and the beneficial interest in the stockholders, members, creditors or other persons in interest.

Upon the winding up of the corporate affairs, any asset distributable to any creditor or stockholder or member who is unknown or cannot be found shall be escheated to the city or municipality where such assets are located.

Except by decrease of capital stock and as otherwise allowed by this Code, no corporation shall distribute any of its assets or property except upon lawful dissolution and after payment of all its debts and liabilities.

[16] Otherwise known as the Property Registration Decree.

[17] Rollo, pp. 88-91.

[18] Id.

[19] Id. at 103-114.

[20] Id. at 113.

[21] Id. at 114.

[22] Id. at 134-143.

[23] Id. at 142.

[24] Id. at 32.

[25] Id. at 33.

[26] Id. at 144.

[27] Id. at 3-30.

[28] FGU Insurance Corporation v. RTC of Makati City, Branch 66, G.R. No. 161282, February 23, 2011, 644 SCRA 50, 56.

[29] Id.

[30] Heirs of Generoso Sebe v. Heirs of Veronico Sevilla, G.R. No. 174497, October 12, 2009, 603 SCRA 395, 400.

[31] Figueroa v. People, 580 Phil. 58, 78 (2008), citing Heirs of Julian Dela Cruz and Leonora Talaro v. Heirs of Alberto Cruz, 475 SCRA 743, 756.

[32] Rollo, p. 84.

[33] G.R. No. 152663, November 18, 2005, 475 SCRA 458.

[34] Id. at 471-472.

[35] G.R. No. 157367, November 23, 2011, 661 SCRA 74.

[36] Id. at 81-82.

[37] Hilaria Bagayas v. Rogelio Bagayas, Felicidad Bagayas, Rosalina Bagayas, Michael Bagayas and Mariel Bagayas, G.R. Nos. 187308 & 187517, September 18, 2013.

[38] Rollo, p. 88.

[39] Quevada v. Glorioso, 356 Phil. 105, 118 (1998). The provision referred to in the case is Section 112 of Land Registration Act, the previous version of Section 108 before P.D. No. 1529 took effect.

[40] 416 Phil. 263 (2001).

[41] Id. at 273.

[42] Supra note 33, at 470.

[43] *Manotoc v. CA*, 530 Phil. 454, 467-468 (2006).

[44] *Republic of the Phils. v. Herbieto*, 498 Phil. 227, 239 (2005).

[45] P.D. No. 1529, Section 23.

[46] *Dela Paz v. CA*, 385 Phil. 441, 446 (2000).

[47] *Cosco Philippines Shipping, Inc. v. Kemper Insurance Company*, G.R. No. 179488, April 23, 2012, 670 SCRA 343, 355.

[48] *Ga, Jr. v. Tubungan*, G.R. No. 182185, September 18, 2009, 600 SCRA 739, 746.

[49] *Leonor v. CA*, 326 Phil. 74, 88 (1996).

[50] *Supra* note 48.

[51] *Figueroa v. People*, *supra* note 31, at 71.

[52] 1987 Constitution, Article VIII, Section 5(5):

Section 5. The Supreme Court shall have the following powers.

x x x x

(5) Promulgate rules concerning the protection and enforcement of constitutional rights, pleading, practice, and procedure in all courts, the admission to the practice of law, the Integrated Bar, and legal assistance to the underprivileged. Such rules shall provide a simplified and inexpensive procedure for the speedy disposition of cases, shall be uniform for all courts of the same grade, and shall not diminish, increase, or modify substantive rights. Rules of procedure of special courts and quasi-judicial bodies shall remain effective unless disapproved by the Supreme Court.

[53] 500 Phil. 303 (2005).

[54] *Id.* at 311.

[55] *Leonor v. CA*, *supra* note 49, at 82.

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.