

**SILVESTRE CORPUZ, SUBSTITUTED BY EVELYN CORPUZ,
PETITIONER, VS. REPUBLIC OF THE PHILIPPINES, REPRESENTED BY
THE REGIONAL EXECUTIVE DIRECTOR OF THE DEPARTMENT OF
ENVIRONMENT AND ...**

G.R. No. 272308, February 24, 2025

Ponente: SINGH, J.

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SINGH, J.:

Before this Court is a Petition for Review on Certiorari[1] under Rule of 45 of the Rules of Court, assailing the Decision,[2] dated April 27, 2023, and the Resolution,[3] dated February 2, 2024, of the Court of Appeals (CA) in CA G.R. CV No. 116993. The CA reversed the Decision,[4] dated December 3, 2020, of Branch 21, Regional Trial Court of Vigan City, Ilocos Sur (RTC) in Civil Case No. 7882-V-2018, and ordered the reversion of the entire land covered by Free Patents Nos. (1-3) 20121 and (1-3) 20105 issued to Silvestre Corpuz (Silvestre), encompassing Lot Nos. 2724 and 2723, to the public domain.[5]

The Facts

The case stemmed from a Complaint for Annulment of Title and Reversion, dated March 23, 2018, filed by the Republic of the Philippines on July 5, 2018 against Dominador Arquelada (Dominador) and Silvestre, substituted by Evelyn Corpuz (Evelyn), before the RTC. The Republic claimed that there was an oversight in granting Free Patents Nos. (1-3) 20121 and (1-3) 20105 in favor of Silvestre, since it covered Lot Nos. 2723 and 2724, which encompass the old riverbed of the Irene River.[6]

On July 16, 2018, the RTC issued summons requiring Evelyn and Dominador to submit their Answers.[7]

On August 20, 2018 and October 18, 2018, Dominador and Evelyn filed their respective Answers, alleging their affirmative defenses and that the Republic had no cause of action.[8]

Version of the Republic

The Republic alleged that on August 23, 1978, Silvestre applied for free patents for two parcels of land, located at Poblacion, Caoayan, Ilocos Sur, described as follows:[9]

(a) Free Patent application over Lot No. 2723, containing an area of 46,172 square meters, with technical description contained in B.L. Form No. V-37; and

(b) Free Patent application over Lot No. 2724, containing an area of 47,579 square meters, with technical description contained in B.L. Form No. V-37.

As a result of such application, Free Patent Nos. (1-3) 20105 and (1-3) 20121 were issued in favor of Silvestre. Additionally, in December of 1978, Original Certificate of Titles (OCT) Nos. P-19674 and P-19678, covering Lot No. 2723 and 2724, respectively, were registered by the Register of Deeds for Ilocos Sur under the name of Silvestre.[10]

On September 6, 1988, Silvestre executed a Deed of Quitclaim in favor of Dominador, transferring and conveying the subject properties. As a consequence, OCT Nos. P-19674 and P-19678 were cancelled and Transfer Certificates of Title (TCT) Nos. T-25180 and T-25126 were issued in the name of Dominador.[11]

Sometime in 1999, the Department of Environment and Natural Resources (DENR) created a team to investigate the alleged illegal titling of riverbeds and/or riverbanks within the Municipality of Caoayan, Ilocos Sur.[12] On October 28, 1999, the DENR issued its Report of Investigation, declaring that the lots under Plans SI-1-3-0009-D for Lot No. 2723 and SI-1-3-00010 for Lot No. 2724 are located at the river bed of the Irene River. On June 26, 2000, the DENR issued its Ocular Inspection Report, confirming that Lot Nos. 2723 and 2724 are situated within the area of the Irene River.[13]

Thus, on September 19, 2000, the Regional Executive Director of the DENR Region 1 issued separate Orders, declaring Free Patent Nos. (1-3) 20105 and (1-3) 20121 null and void. Under the same orders, the DENR directed the preparation of a complaint for the cancellation of OCT Nos. P-19674 and P-19678 (now TCT Nos. T-25180 and T-25126).[14]

Accordingly, on July 5, 2018, the DENR, through the Office of the Solicitor General (OSG), filed the subject Complaint for Annulment of Title and Reversion, docketed as Civil Case No. 7882-V-2018, before the RTC.[15]

Version of Evelyn Corpuz

Evelyn, in substitution of her husband, Silvestre, alleged that the subject properties appeared to be agricultural in nature when her husband applied for free patents over the same. Moreover, the government did not object to their cultivation of the subject properties.[16]

Evelyn also contended that she no longer has an interest over the subject properties, as the same have already been transferred to Dominador in 1988. Moreover, Evelyn alleged that she was not privy to her late husband's application for free patent over the subject properties. Thus, she cannot be considered as a real party-in-interest to the case.[17]

On September 12, 2019, the RTC conducted a Pre-Trial Conference. Trial on the merits ensued thereafter.[18]

The Ruling of the RTC

On December 3, 2020, the RTC rendered its Decision, partially granting the Republic's Complaint and ordering the reversion of portions of Lot Nos. 2723 and 2724 back to the land mass of the public domain. The dispositive portion of the RTC Decision reads:

WHEREFORE, premises considered, the Complaint is PARTIALLY GRANTED.

The area of 8,675 square meters, more or less, in Lot No. 2723 and the area of 1,135 square meters in Lot No. 2724 are hereby declared part and reverted back to the land mass of the public domain.

Defendant Dominador Arquelada is directed to reconvey to the plaintiff, Republic of the Philippines, within [30] days from the finality of this Decision, the 1,135 square meters in Lot No. 2724 covered by Transfer Certificate of Title No. T-25126 and 8,675 square meters for Lot No. 2723 covered by Transfer Certificate of Title No. T-25180.

The Complaint as to Defendant Silvestre Corpuz, substituted by Evelyn Corpuz, is DISMISSED. No costs.

SO ORDERED.[19] (Emphasis in the original)

At the outset, the RTC dismissed the case as to Evelyn, on the ground that Silvestre had already previously transferred the subject properties to Dominador.[20]

On the substantive issue, the RTC held that the Republic failed to prove fraud on the part of Silvestre in obtaining the Free Patents.[21] Moreover, only 8,675 square meters, more or less, in Lot No. 2723, and 1,135 square meters in Lot No. 2724 are part of the Irene River, based on the testimony of Engineer Katrina Delos Angeles, Senior Geologist of the Mines and Geosciences Bureau of the DENR.[22] Thus, Dominador was ordered to reconvey to the State only the said portions of the subject properties.[23]

Partly aggrieved, the Republic filed a Motion for Reconsideration, which the RTC denied in its Order, dated March 10, 2021.[24]

Thus, on April 6, 2021, the Republic submitted before the RTC a Notice of Appeal, dated March 26, 2021.[25]

Before the CA, the Republic alleged that the RTC erred in reverting only a portion of the subject properties to the public domain, since there is no positive act of the government which reclassified the entirety of the subject properties as alienable and disposable lands before Free Patent Nos. (1-3) 20105 and (1-3) 20121 were issued in favor of Silvestre.[26] Moreover, it alleged that Silvestre's and Dominador's titles are not indefeasible because the Free Patents from where their titles emanate were secured through fraud. Finally, the Republic contended that the RTC erred in dismissing the case as to Evelyn, as she is a necessary party in the cancellation of Free Patent Nos. (1-3) 20105 and (1-3) 20121, originally registered under the name of her predecessor-in-interest.[27]

On the other hand, Evelyn maintained that she no longer possesses any interest over the subject properties as the same were already transferred to Dominador. Evelyn prayed that the RTC Decision be upheld and sustained.[28]

The Ruling of the CA

In its Decision,[29] dated April 27, 2023, the CA granted the Republic's appeal. The dispositive portion reads:

WHEREFORE, the instant appeal is GRANTED. The Decision and the Order, dated December 3, 2020 and March 10, 2021, respectively, rendered by the Regional Trial Court, Branch 21 – Vigan City, Ilocos Sur in Civil Case No. 7882-V-2018 are hereby REVERSED and SET ASIDE.

Accordingly, a new one is hereby issued as follows:

- SETTING ASIDE the order of dismissal as to defendant-appellee Silvestre Corpuz, as substituted by Evelyn Corpuz;
- ORDERING the reversion of the land covered by Free Patent Nos. (1-3) 20121 and (1-3) 20105, encompassing Lot Nos. 2724 and 2723, respectively, and issued to Silvestre Corpuz, to the mass of the public domain;
- DECLARING Free Patent No. (1-3) 20121, covering Lot 2724, Cad 396-D, the source of Original Certificate of Title No. P-19678 in the name of Silvestre Corpuz, which was subsequently cancelled by Transfer Certificate of Title No. T-25126 issued in the name of Dominador Arquelada, and all its derivative titles, if any, as NULL AND VOID AB INITIO;
- DECLARING Free Patent No. (1-3) 20105, covering Lot 2723, Cad 396, the source of Original Certificate of Title No. P-19674 in the name of Silvestre Corpuz, which was subsequently cancelled by Transfer Certificate of Title No. T-25180 issued in the name of Dominador Arquelada, and all its derivative titles, if any, as NULL AND VOID AB INITIO;
- ORDERING defendant-appellee Dominador Arquelada to SURRENDER the owner's duplicate copy of Transfer Certificate of Title Nos. T-25126 and T-25180 to defendant Register of Deeds of Bantay, Ilocos Sur and the latter to CANCEL said titles and all their derivative titles, if any; and
- ORDERING defendant-appellee Dominador Arquelada, and all persons claiming rights under him, his agents, assigns, and those acting in his behalf, to cease and desist from exercising acts of ownership and

administration over the whole of the subject premises and to vacate the same if in possession thereof.

SO ORDERED.[30] (Emphasis in the original)

On the procedural issue raised by the Republic, the CA upheld the Republic's position that the RTC erred in dismissing the case against Evelyn.[31] Since the subject Free Patents were originally issued to Evelyn's late husband, a complete determination and settlement of the issues of the case necessarily entailed the cancellation of records under the name of Evelyn's predecessor-in-interest. Thus, the CA concluded that Evelyn is a necessary party to the case.[32]

On the substantial issue of whether the RTC erred in reverting only portions of the subject properties to the land mass of the public domain, the CA likewise held for the Republic.[33] The CA found that the Republic was able to establish that the issuance of Free Patent Nos. (1-3) 20105 and (1-3) 20121 was attended with fraud or misrepresentation. Thus, the titles which emanated from said patents should also be cancelled.[34]

The CA explained that under Commonwealth Act No. 141,[35] or the Public Land Act, which applies to lands of the public domain suitable for agricultural purposes, public lands may be disposed of by homestead settlement, sale or free patent.[36] Once a patent is registered and the corresponding certificate of title is issued, the land covered by the patent ceases to be part of the public domain and becomes private property, and the Torrens Title issued pursuant to the patent becomes indefeasible upon the expiration of one year from the date of the issuance of such patent.[37] However, for any false statement or omission of facts in the application, Section 91[38] of the Public Land Act provides for the ipso facto cancellation of the concession, title or permit granted.[39]

Under Section 91, any false statements made in the application for free patent, or any omission of facts altering, changing or modifying the consideration of the facts set forth in such statements, and any subsequent modification, alteration or change of the material facts set forth in the application shall be a ground for the cancellation of the concession, title or permit granted and the reversion of the land covered back to the public domain. The CA emphasized that such remedy can be availed of despite the lapse of one year from registration of title, because indefeasibility does not attach to titles secured through fraud or to lands unlawfully included in patents and certificates of title.[40]

The CA emphasized that the remedy of reversion does not only cover cases of fraudulent or unlawful inclusion of the land in patents or certificates of title, but also instances when the grant of patent was made through mere oversight.[41]

In this case, the CA noted that the Republic filed the Complaint for Annulment of Title and Reversion after it found out that the subject properties traverse the dried-up riverbed of the Irene River. The Republic discovered the same when the local government of Caoayan, Ilocos Sur, complained of several illegal titling of public lands within its municipality, prompting the DENR to conduct an investigation and survey of the area.[42] Article 502 (1)[43] of the Civil Code is clear that rivers and their natural beds form part of the public dominion of the State.[44]

Moreover, in *Republic v. Santos III, et al.*,[45] the Court held that even river beds that already dried up continue to belong to the State as its property of public dominion, "unless there is an express law that provides that the dried-up river beds should belong to some other person." [46]

The CA held that the Republic had adduced a preponderance of evidence that the subject properties are within the area of the old riverbed of the Irene River, and that the application for Silvestre's patents was attended by fraud or misrepresentation.[47]

In Silvestre's Application, dated August 23, 1978, he attested that the subject properties are "not claimed or

occupied by any other person, but is public land," despite the fact that the same actually traverses the riverbed of the Irene River.[48] In the Order, dated September 19, 2000, issued by the DENR Regional Executive Director, the DENR stated its findings that the subject properties evidently formed part of the Irene River riverbeds.[49] The CA also noted that even Evelyn and Dominador admitted in their respective direct testimonies that they are aware of the fact that the subject properties are within the former riverbed of the Irene River.[50]

Thus, the CA held that Free Patents Nos (1-3) 20105 and (1-3) 20121, covering the entirety of the subject properties, should be cancelled. Having been obtained through fraud or misrepresentation, they produced no legal effect whatsoever.[51]

Finally, the CA found that the subject properties were not shown to have been declared as alienable and susceptible to private appropriation at the time the same were adjudicated to Silvestre.[52] The CA noted that the records of the case do not include documents, such as the pertinent Land Classification Maps, DENR Reports or technical description reports, which show and indicate the actual classification of the subject properties at the time they were adjudicated to Silvestre. Neither was there any proof to show that the Executive Department, through the Office of the President or such other persons vested with authority to act on his behalf, has classified or reclassified the subject properties into alienable and disposable, which can be validly transferred to Silvestre.[53]

The CA noted that, before the RTC, Evelyn and Dominador's pieces of evidence focused on establishing circumstances relating to the alleged hostility of the local government unit of Caoayan, Ilocos Sur against them, which led to the investigation by the DENR. The CA noted that these do not prove the actual classification of the subject properties at the time they were awarded to Silvestre.[54]

In its Resolution, dated February 2, 2024, the CA denied Evelyn's Motion for Reconsideration.[55]

Aggrieved, Evelyn filed the present Petition, maintaining that: (1) she is not a real party-in-interest in the case;[56] and (2) the Republic failed to establish that the subject properties formed part of the river beds or that Silvestre employed fraud or misrepresentation in applying for the Free Patents.[57]

The Issues

This Court resolves the following issues:

First, did the CA err in ruling that Evelyn is a real party-in-interest in the cancellation of Free Patents Nos. (1-3) 20105 and (1-3) 20121?

Second, did the CA err in cancelling Free Patents Nos. (1-3) 20105 and (1-3) 20121 under Section 91 of the Public Land Act?

The Ruling of the Court

The Court notes that the issues raised in this Petition are a rehash of those raised and passed upon by the CA in its Decision, as well as its Resolution resolving Evelyn's Motion for Reconsideration.

In said Motion for Reconsideration, Evelyn alleged that she is not a real party-in-interest in the case, as the subject land had already been transferred to Dominador. Further, Evelyn contended that the Republic failed to establish that the subject land was classified as a river at the time Silvestre's patents were applied for. Finally, Evelyn argued that since that a large portion of the subject land was already planted with agricultural crops, with no apparent trace of an abandoned river, it cannot be said that Silvestre secured his patents through fraud or misrepresentation.[58]

The CA, in its Resolution, dated February 2, 2024, held that these arguments did not present any new and substantial matter that warranted the reversal of its Decision. Moreover, the same were already considered,

addressed and found to be without merit in its Decision.[59] Nonetheless, Evelyn reiterates these arguments in the present Petition.[60]

Evelyn is a real party-in-interest to the case

On the procedural issue of whether the CA erred in reversing the RTC's dismissal of the case as to Evelyn, the Court holds that the CA committed no reversible error. A complete determination and settlement of the issues in this case necessarily entails the cancellation of records under the name of Evelyn's predecessor-in-interest.

A real party-in-interest is defined as one who stands to be benefited or injured by the judgment of the suit, or the party entitled to the avails of the suit.[61] An indispensable party is a party-in-interest without whom no final determination can be had of an action.[62] Meanwhile, a necessary party is defined as one who is not indispensable but who ought to be joined as a party if complete relief is to be accorded as to those already parties, or for a complete determination or settlement of the claim subject of the action.[63]

The inclusion of indispensable parties is essential for the court to acquire jurisdiction. The absence of an indispensable party renders all subsequent actuations of the court null and void, because of that court's want of authority to act, not only as to the absent parties but even as to those present. Thus, whenever it appears to the court in the course of a proceeding that an indispensable party has not been joined, it is the duty of the court to order the inclusion of such party.[64] On the other hand, a necessary party is impleaded in an action in order to afford the parties a complete determination or settlement of the claims subject of such action.[65]

The primary defendant impleaded in the Republic's Complaint was Silvestre, as the grantee of Free Patent Nos. (1-3) 20105 and (1-3) 20121 sought to be annulled.[66] Certainly, Silvestre possessed such an interest in the controversy that in order to cancel and annul the documents, patents and titles relative to the subject properties, jurisdiction over him, or his successors-in-interest, must be obtained. Without the inclusion of Evelyn, as Silvestre's successor-in-interest, in the case, the Court agrees with the CA that there can be no complete settlement of the claims set forth by the Republic.

As to the transfer and conveyance of the subject properties to Dominador by virtue of the Deed of Quitclaim, dated September 6, 1988, the Court likewise agrees that such fact did not affect the personality of Silvestre, as substituted by Evelyn. Notably, under said transfer and conveyance, only OCT Nos. P-19674 and P-19678 were cancelled, while Free Patent Nos. (1--3) 20105 and (1-3) 20121 remained to be under the name of Silvestre.[67] Thus, as the primary applicant for Free Patent Nos. (1-3) 20105 and (1-3) 20121 sought to be annulled by the Republic, the presence of Silvestre, substituted by his surviving spouse, Evelyn, is necessary to settle all the possible issues of the subject controversy.

The subject free patents were rightfully cancelled

On the merits, Evelyn re-argues that the Republic failed to establish that the subject properties formed part of the river beds and that Silvestre employed fraud or misrepresentation in applying for the patents.[68]

The Court notes that the determination of this issue requires a review of the evidence submitted by the parties to the courts below, which is not proper in a petition for review by certiorari.[69] As has been repeatedly held by this Court, it is not a trier of facts.[70] It is not its function to weigh all over again the evidence already considered by the lower courts.[71] While there are exceptions[72] to this rule, such exceptions must be alleged, substantiated and proven by the party invoking them so this Court may review the facts of the case.[73] The Court finds that none of these exceptions are present in this case. On this ground alone, the Petition should be dismissed.

In any event, the Petition failed to sufficiently show any reversible error in the assailed Decision to warrant the

exercise of the Court's discretionary appellate jurisdiction.

The CA held that the Republic had presented a preponderance of evidence before the RTC, establishing that the subject properties continued to form part of the public domain, and that fraud or misrepresentation attended Silvestre's application for Free Patents Nos. (1-3) 20105 and (1-3) 20121.[74] Thus, the properties' reversion to the State is warranted.

The Court agrees.

Section 91 of the Public Land Act provides for the ipso facto cancellation of a concession, title or permit granted by the government, and the reversion of the land covered by such concession, title or permit back to the land mass of the public domain, when the applicant is found to have made any false statements in the application for free patent, or any omission of facts altering, changing or modifying the consideration of the facts set forth therein.[75] Section 91 states:

SEC. 91. The statements made in the application shall be considered as essential conditions and parts of any concession, title, or permit issued on the basis of such application, and any false statements therein or omission of facts altering, changing, or modifying the consideration of the facts set forth in such statements, and any subsequent modification, alteration, or change of the material facts set forth in the application shall ipso facto produce the cancellation of the concession, title, or permit granted. It shall be the duty of the Director of Lands, from time to time and whenever he may deem it advisable, to make the necessary investigations for the purpose of ascertaining whether the material facts set out in the application are true, or whether they continue to exist and are maintained and preserved in good faith, and for the purposes of such investigation, the Director of Lands is hereby empowered to issue subpoenas and subpoenas duces tecum and, if necessary, to obtain compulsory process from the courts. In every investigation made in accordance with this section, the existence of bad faith, fraud, concealment, or fraudulent and illegal modification of essential facts shall be presumed if the grantee or possessor of the land shall refuse or fail to obey a subpoena or subpoena duces tecum lawfully issued by the Director of Lands or his authorized delegates or agents, or shall refuse or fail to give direct and specific answers to pertinent questions, and on the basis of such presumption, an order of cancellation may issue without further proceedings. (Emphasis supplied)

The proper remedy of the State when public land is fraudulently awarded and disposed of in favor of private individuals or corporations is to seek the reversion of such land to the mass of public domain through a reversion proceeding.[76] Under Section 101[77] of the Public Land Act, all actions for reversion to the government of lands of the public domain shall be instituted by the OSG or the officer acting in his stead, in the proper courts, in the name of the Republic of the Philippines. The Republic bears the burden of proof to establish State ownership in reversion proceedings.[78]

In this case, the Court finds that the Republic has sufficiently established that the subject properties traverse the old riverbed of the Irene River, and that Silvestre's application for Free Patent Nos. (1-3) 20105 and (1-3) 20121 was attended with misrepresentation.

As the CA noted, the Republic submitted before the RTC a copy of Silvestre's application for Free Patent, dated August 23, 1978. Therein, he attested that the subject properties are "not claimed or occupied by any other person, but is public land," without disclosing the fact that the same actually traverses the riverbed of the Irene River.[79]

In the Order, dated September 19, 2000, issued by DENR Regional Executive Director, it is stated that the fact that the subject properties lie within the river area, and are even "identical to the area of the Irene River itself" is "evident":[80]

It was found that the lots being questioned, Lot 2723 under SI-I-3-00009-D and Lot 2724 under

SI-I-3-00010-D are located within the area of Irene River. This is also further established after inspecting the surrounding adjoining lands. It is evident that these two lots are within the area of the river and river beds therefore identical to the area of Irene River itself. The said findings are also the findings of the Geodetic Engineer who assisted us. They are in unison that lots 2723 and 2724 are found within Irene River.[81] (Emphasis supplied)

More, based on its review of the Investigation Reports, Supplementary Reports, Order of Investigation, Ocular Inspection Reports and Final Reports, submitted by both the DENR Regional Office involved and the DENR itself, the CA concluded that fraud, or at the very least, misrepresentation, have been committed by Silvestre in his public land application, which led to the issuance of the Free Patents.[82]

Finally, during the proceedings before the RTC, both Evelyn and Dominador admitted in their respective direct testimonies that they are aware of the fact that the subject properties are within the former riverbed of the Irene River:

ATTY. ROMAN MARIO V. PANEM ON DEFENDANT DOMINADOR ARQUELADA:

Q16. By the way, before you acquired the subject lots in 1986 and 1988, what did you do as an act of precaution or due diligence?

A. I went to the location to check the appearance and status, sir.

Q17. What did you see?

A. I saw a body of solid ground where agricultural plants and other vegetation grow, sir.

Q18. Did you see a river within the area of the subject lots?

A. None sir, I did not see a river, much less a navigable one.

Q19. Did you see a body of water?

A. I saw a small sunken area with water that was stagnant. The water was not flowing to and from any direction. It is natural to see surface water on agricultural lands, sir.

Q51. What do you say to the report that the two lots in suit are located within the area of Irene River?

A. They are located within the former riverbed of Irene River[,] but they are not rivers anymore because although the area used to be the Irene River or its bed many years ago, due to yearly extra-ordinary floods that inundated the whole Sitio Luzong in Poblacion, Caoayan, Ilocos Sur after the year 1970, the erstwhile Irene River became dry as a result of natural forces of avulsion and/or accretion. So much so that in 1975, the then District Land Officer of Vigan, Ilocos Sur ordered the survey of the lands under plan SI-1-3-00010-D (for Lots 2724) and plan SI-1-3-0009-D (for Lot 2723), sir.[83] (Emphasis supplied)

ATTY. ROMAN MARIO V. PANEM ON DEFENDANT EVELYN CORPUZ:

Q22. When the land investigator/s of the then Bureau of Lands came to inspect, was there a river in the area?

A. There was none, sir. The former river had already dried up at the time. There was only a small lagoon within the area, sir.

Q23. According to the complaint of the plaintiff, in 1999 upon complaint of then Mayor Manuel Querubin of Caoayan, Ilocos Sur stating "alleged illegal titling of rivers and riverbanks" in said town, the DENR conducted an investigation to determine the actual status of Lots 2724 and 2723 and came up with a report that said lots are within the bed of Irene River and the river itself, being a former portion of Lot 1724, What is your comment on that?

A. That is not true, sir.

Q24. What is the truth?

A. The truth is that Lots 2723 and 2724 used to be portions of the former bed of the Irene River until it dried up as a result of strong typhoons and heavy rainfalls that flooded the entire Sitio Luzong, Caoayan, Ilocos Sur and all adjoining bodies of land then were eroded. Some of the eroded portions of adjoining lands were apparently deposited on the Irene River bed[,] causing it to dry. Other portions were washed into the nearby sea, sir.[84] (Emphasis supplied)

While the above demonstrates that Evelyn and Dominador, not Silvestre himself, are aware that the subject properties lie within the former riverbed of the Irene River, it can be reasonably inferred that Silvestre, who was involved in the application for the patents and original titling of the subject properties, must have also known said fact as well. As shown in the DENR findings, the fact that the subject properties lie within the area of the Irene River is evident.

The Court has ruled that in reversion proceedings, the State must demonstrate that an error or oversight occurred in including the property in a private individual's title because it belongs to public domain.[85] In this case, the Court finds that the Republic, through the DENR, has successfully proven that the subject properties, being part of the dried-up riverbeds of the Irene River, remain part of the public domain.

As the Court has consistently held in numerous cases, the factual findings of administrative or quasi-judicial bodies, which are considered experts in matters within their respective jurisdictions, are generally given not only respect but even finality, and bind the Court when supported by substantial evidence.[86] In this case, the DENR found, after due investigation, that Lot Nos. 2723 and 2724 covered by the subject Free Patents are situated within the area of the Irene River.[87]

Following Santos,[88] even river beds that have already dried up continue to belong to the State as its property of public dominion, "unless there is an express law that provides that the dried-up river beds should belong to some other person." [89] As the CA noted, there is nothing in the records of the case which indicate that there was a law converting the subject properties into private properties or that they have been declared as alienable and susceptible for private appropriation at the time they were adjudicated to Silvestre.[90]

On this basis alone, the reversion of the subject properties to the State is warranted.

Furthermore, Silvestre's omission in his free patent application of the fact that the area he intended to acquire was part of the old riverbed of the Irene River—despite this being evident, as confirmed by the DENR Order, dated September 19, 2000, as well as Evelyn and Dominador's direct testimonies—amounts to a misrepresentation within the context of Section 91 of the Public Land Act, as amended. Such misrepresentation constitutes cause for the ipso facto cancellation of the subject Free Patents. Accordingly, the DENR, as affirmed by the CA, correctly nullified Free Patents Nos. (1-3) 20105 and (1-3) 20121 and the titles issued in Silvestre's, and subsequently Dominador's, names.

FOR THESE REASONS, the Petition for Review on Certiorari is DENIED. The Decision, dated April 27, 2023, and the Resolution, dated February 2, 2024, of the Court of Appeals in CA G.R. CV No. 116993, are AFFIRMED.

SO ORDERED.

Inting, Gaerlan, and Dimaampao, JJ., concur.
Caguioa (Chairperson), J., see concurring opinion.

[1] Rollo, pp. 19-44.

[2] Id. at 46-67. Penned by Associate Justice Rex Bernardo L. Pascual and concurred in by Associate Justices Myra V. Garcia-Fernandez and Tita Marilyn B. Payoyo-Villordon of the Tenth Division, Court of Appeals, Manila City.

[3] Id. at 69-72. Penned by Associate Justice Rex Bernardo L. Pascual and concurred in by Associate Justices Myra V. Garcia-Fernandez and Tita Marilyn B. Payoyo-Villordon of the Former Tenth Division, Court of Appeals, Manila City.

[4] Id. at 521-535. Penned by Presiding Judge Cecilia Corazon S. Dulay-Archog.

[5] Id. at 65-66.

[6] Id. at 47.

[7] Id.

[8] Id. at 48.

[9] Id. at 49.

[10] Id.

[11] Id.

[12] Id. at 49-50.

[13] Id. at 50.

[14] Id.

[15] Id.

[16] Id.

[17] Id.

[18] Id. at 48.

[19] Id. at 535.

[20] Id. at 531.

[21] Id. at 534.

[22] Id. at 535.

[23] Id.

[24] Id. at 48.

[25] Id. at 49.

[26] Id. at 52.

[27] Id.

[28] Id.

[29] Id. at 46-67.

[30] Id. at 65-66.

[31] Id. at 53.

[32] Id.

[33] Id. at 56.

[34] Id.

[35] Approved November 7, 1936.

[36] Rollo, p. 56.

[37] Id. at 57.

[38] SEC. 91. The statements made in the application shall be considered as essential conditions and parts of any concession, title, or permit issued on the basis of such application, and any false statements therein or omission of facts altering, changing, or modifying the consideration of the facts set forth in such statements, and any subsequent modification, alteration, or change of the material facts set forth in the application shall ipso facto produce the cancellation of the concession, title, or permit granted. It shall be the duty of the Director of Lands, from time to time and whenever he may deem it advisable, to make the necessary investigations for the purpose of ascertaining whether the material facts set out in the application are true, or whether they continue to exist and are maintained and preserved in good faith[.]

[39] Rollo, p. 57.

[40] Id. at 58.

[41] Id.

[42] Id. at 59.

[43] CIVIL CODE, art. 502. The following are of public dominion: (1) Rivers and their natural beds; [....]

[44] Rollo, p. 59.

[45] 698 Phil. 275 (2012) [Per J. Bersamin, First Division].

[46] Rollo, p. 59.

[47] Id.

[48] Id.

[49] Id.

[50] Id. at 60.

[51] Id. at 62.

[52] Id. at 63.

[53] Id. at 65.

[54] Id.

[55] Id. at 72.

[56] Id. at 29.

[57] Id. at 33.

[58] Id. at 71.

[59] Id. at 72.

[60] Id. at 29.

[61] RULES of COURT, Rule 3, sec. 2.

[62] RULES OF COURT, Rule 3, sec. 7.

[63] RULES OF COURT, Rule 3, sec. 8.

[64] See *Mutlan v. Mutlan*, 870 Phil. 259, 281 (2020) [Per J. Leonen, Third Division].

[65] RULES OF COURT, Rule 3, sec. 8.

[66] *Rollo*, p. 55.

[67] Id.

[68] Id. at 33.

[69] RULES OF COURT, Rule 45.

[70] *Quitoriano v. Department of Agrarian Reform Adjudication Board (DARAB)*, 571 Phil. 331, 341-342 (2008) [Per J. Chico-Nazario, Third Division].

[71] *Express Investments III Private, Ltd. v. Bayantel, Inc.*, 700 Phil. 225, 270 (2012) [Per J. Villarama, Jr., First Division].

[72] *Sps. Miano v. Manila Electric Company*, 800 Phil. 118, 122-123 (2016) [Per J. Leonen, Second Division] states:

"However, the general rule for petitions filed under Rule 45 admits exceptions. *Medina v. Mayor Asistio, Jr.* lists down the recognized exceptions: (1) When the conclusion is a finding grounded entirely on speculation, surmises[,] or conjectures; (2) When the inference made is manifestly mistaken, absurd[,] or impossible; (3) Where there is a grave abuse of discretion; (4) When the judgment is based on a misapprehension of facts; (5) When the findings of fact are conflicting; (6) When the Court of Appeals, in making its findings, went beyond the issues of the case and the same is contrary to the admissions of both appellant and appellee; (7) The findings of the Court of Appeals are contrary to those of the trial court; (8) When the findings of fact are conclusions without citation of specific evidence on which they are based; (9) When the facts set forth in the petition as well as in the petitioner's main and reply briefs are not disputed by the respondents; and (10) The finding of fact of the Court of Appeals is premised on the supposed absence of evidence and is contradicted by the evidence on record." (Citations Omitted)

[73] Pascual v. Burgos, 776 Phil. 167, 169 (2016) [Per J. Leonen, Second Division].

[74] Id.

[75] Rollo, p. 58.

[76] Republic of the Philippines v. Sps. Yu Cho Khai, 916 Phil. 251, 257 (2021) [Per J. J. Lopez, First Division].

[77] Sec. 101. All actions for the reversion to the Government of lands of the public domain or improvements thereon shall be instituted by the Solicitor-General or the officer acting in his stead, in the proper courts, in the name of the Commonwealth of the Philippines.

[78] Republic of the Philippines v. Sps Yu Cho Khai, 916 Phil. 251, 260 (2021) [Per J. J. Lopez, First Division].

[79] Rollo, p. 59.

[80] Id.

[81] Id. at 60.

[82] Id.

[83] Id. at 61.

[84] Id. at 62.

[85] Republic of the Philippines v. Sps. Yu Cho Khai, 916 Phil. 251, 261 (2021) [Per J. Lopez, First Division].

[86] United Laboratories, Inc. v. Domingo, 673 Phil. 630 (2011) [Per J. Perez, Second Division].

[87] Rollo, p. 59.

[88] Id. at 62.

[89] 698 Phil. 275, 285 (2012) [Per J. Bersamin, First Division].

[90] Rollo, p. 63.

CONCURRING OPINION

CAGUIOA, J.:

The ponencia in the above-captioned case denies the Petition and affirms the Decision dated April 27, 2023 of the Court of Appeals^[1] which ordered the reversion of the subject lands, found to be part of the old riverbed of the Irene River, to the public domain.^[2]

I concur that the preponderance of evidence on record establishes that the issuance of the subject free patents in favor of petitioner Silvestre Corpuz (Corpuz) was tainted by fraud or misrepresentation.^[3] A review of the records reveals that in a 1977 NAMRIA Topographic Map^[4]—prepared just a year before the issuance of the subject patents in 1978—almost the entire area of both subject lots remained submerged in water. This finding negates any plausible claim of continuous, open, and exclusive possession and cultivation, as required under Section 44 of Commonwealth Act No. 141.^[5] Corpuz's assertion of such possession, therefore, constitutes a material misrepresentation that warrants the cancellation of the patents and the reversion of the lands to the State.^[6]

I write separately as this case presents a novel opportunity to clarify the legal regime governing the ownership of

abandoned riverbeds. In my view, a proper harmonization of the relevant Civil Code provisions confirms that the ownership and alienability of riverbeds hinge on the nature of its abandonment—i.e., whether the same occurred naturally or through the intervention of man.

I expound.

Article 420(1)[7] and Article 502(1)[8] of the Civil Code expressly state that rivers and their natural beds are of public dominion. Following only these provisions, abandoned riverbeds belong to the State and cannot be acquired by acquisitive prescription unless previously declared by the Government to be alienable and disposable.

Accordingly, the ponencia, citing *Republic v. Santos III, et al.*,[9] finds that the dried up portions of the Irene River's bed, not having been previously declared as alienable and disposable, are not susceptible to private ownership:

[E]ven river beds that have already dried up continue to belong to the State as its property of public dominion, "unless there is an express law that provides that the dried-up river beds should belong to some other person." As the CA noted, there is nothing in the records of the case which indicate that there was a law converting the subject properties into private properties or that they have been declared as alienable and susceptible for private appropriation at the time they were adjudicated to Silvestre.[10]

While the foregoing discussion indeed aligns with Articles 420(1) and 502(1) of the Civil Code, it is imperative to likewise discuss a specific exception to the general rule that riverbeds are property of the public domain—where the abandonment occurs on account of a natural change in the course of the river, the riverbed becomes property of private ownership.

By express provision of Article 370 of the Spanish Civil Code of 1889, abandoned riverbeds belong to the riparian owners:

Article 370. Beds of rivers abandoned because of a natural change in the course of the water belong to the owners of the lands bordering thereon throughout their respective extents. If the abandoned bed divided estates belonging to different owners, the new dividing line shall be equidistant from the former boundaries.

Article 461 of the Civil Code amended this provision to the extent that ownership of the abandoned riverbed is no longer conferred to the riparian owners, but to the owners of the lands onto which the river shifted:

Article 461. River beds which are abandoned through the natural change in the course of the waters ipso facto belong to the owners whose lands are occupied by the new course in proportion to the area lost. However, the owners of the lands adjoining the old bed shall have the right to acquire the same by paying the value thereof, which value shall not exceed the value of the area occupied by the new bed. (370a)

This provision was further modified by Article 58 of Presidential Decree No. 1067[11] or the Water Code of the Philippines, which in cases of sudden changes to the course of the river, grants the owners of the affected lands the option to either: (i) acquire ownership of the abandoned bed; or (ii) undertake, at their own expense and subject to the issuance of a permit from the government, the restoration of the river to its original course:

Article 58. When a river or stream suddenly changes its course to traverse private lands, the owners of the affected lands may not compel the government to restore the river to its former bed; nor can they restrain the government from taking steps to revert the river or stream to its former course. The owners of the lands thus affected are not entitled to compensation for any damage sustained thereby. However, the former owners of the new bed shall be the owners of the abandoned bed in proportion to the area lost by each.

The owners of the affected lands may undertake to return the river or stream to its old bed at their own expense; Provided, That a permit therefor is secured from the Secretary of Public Works, Transportation and

Communication and work pertaining thereto are commenced within two years from the change in the course of the river or stream.

As early as 1912, this exception was recognized in the case of *Villanueva v. Claustro*,^[12] where the Court, in applying Article 370 of the Spanish Civil Code of 1889, ruled that the bed of a river which was abandoned due to the natural change in the course of the waters properly belongs to the riparian owners along the abandoned channel:

The law provides that the beds of rivers which remain abandoned because the course of the water has naturally changed belong to the owners of the riparian lands throughout their respective lengths (Civ. Cod., art. 370). If, according to the defendant's witnesses, the land disputed was the old bed of the river, which remained abandoned because the course of the water had naturally changed, it belongs to the owner of the riparian land that bordered on the river, who, according to these same witnesses, was Mariano Villanueva, and whose lot, [e]nclosed by a wall, was bounded on the north by the said river on the date the land was acquired, December 2, 1868.^[13] (Emphasis supplied)

It must be emphasized, however, that Article 461 of the Civil Code speaks only of a "natural change in the course of the waters." This distinction was clearly articulated in the 1991 case of *Ronquillo v. Court of Appeals, et al.*,^[14] involving the dried up bed of Estero Calubcub. In the said case, the evidence showed that the river dried up due to human intervention—the dumping of garbage by local residents. As such, the Court distinguished between the effects of natural and artificial changes in watercourses, stressing that only natural changes in the course of a river confer riparian rights over an abandoned riverbed. Since the changes in Estero Calubcub were man-made, the riverbed remained part of the public domain:

A careful perusal of the evidence presented by both parties in the case at bar will reveal that the change in the course of Estero Calubcub was caused, not by natural forces, but due to the dumping of garbage therein by the people of the surrounding neighborhood. . . .

. . . .

In addition, the relocation plan (Exhibit "D") which also formed the basis of respondent court's ruling, merely reflects the change in the course of Estero Calubcub but it is not clear therefrom as to what actually brought about such change. There is nothing in the testimony of lone witness Florencia del Rosario nor in said relocation plan which would indicate that the change in the course of the estero was due to the ebb and flow of the waters. On the contrary, the aforequoted testimony of the witness belies such fact, while the relocation plan is absolutely silent on the matter. The inescapable conclusion is that the dried-up portion of Estero Calubcub was occasioned, not by a natural change in the course of the waters, but through the active intervention of man.

The foregoing facts and circumstances remove the instant case from the applicability of Article 370 of the old Civil Code[.]

. . . .

The law is clear and unambiguous. It leaves no room for interpretation. Article 370 applies only if there is a natural change in the course of the waters. The rules on alluvion do not apply to man-made or artificial accretions nor to accretions to lands that adjoin canals or esteros or artificial drainage systems. Considering our earlier finding that the dried-up portion of Estero Calubcub was actually caused by the active intervention of man, it follows that Article 370 does not apply to the case at bar and, hence, the Del Rosarios cannot be entitled thereto supposedly as riparian owners.

The dried-up portion of Estero Calubcub should thus be considered as forming part of the land of the public domain which cannot be subject to acquisition by private ownership.^[15] (Emphasis supplied, citations omitted)

The distinction between natural and artificial changes was reiterated in *Celestial v. Cachopero*,^[16] which involved a creek that dried up as a result of the construction of an irrigation canal by the National Irrigation Administration. As the change in the watercourse was brought about by a government infrastructure project, the drying up of the creek was deemed artificial. Consequently, Article 461 of the Civil Code found no application, and the land remained part of the public domain.

Based on the foregoing, the following rules govern the ownership of abandoned riverbeds:

(1)

If a riverbed is abandoned due to a natural change in the course of the waters, Article 461 of the Civil Code provides that ownership of the abandoned riverbed ipso facto vests in the owners of the lands onto which the river has shifted, in proportion to the area lost, and adjoining landowners may acquire the riverbed upon payment of its value. If such natural change was sudden, affected owners may, instead of acquiring the abandoned bed, opt to restore the river to its former course, subject to applicable conditions;^[17] and

(2)

If the abandonment is caused by artificial means or human intervention, the riverbed remains inalienable public land under Articles 420(1) and 502(1) of the Civil Code, which is not susceptible to private appropriation and acquisitive prescription.

Applying these principles to the present case, a review of the records shows that portions of the riverbed were backfilled and tilled, contributing to the stagnation of the water and the eventual drying up of portions of the Irene River.^[18] This suggests that the changes in the river were not entirely the result of a natural process. Consequently, Article 461 of the Civil Code does not apply, and the subject lands remain part of the public domain—not susceptible to private ownership or disposition. As such, petitioner Corpuz could not have validly acquired title over the subject lands in the absence of any governmental act reclassifying the land as alienable and disposable.

ACCORDINGLY, I CONCUR with the ponencia and vote to DENY the Petition.

[1] Ponencia, p. 1.

[2] Id. at 1-2.

[3] Id. at 12-16.

[4] Rollo p. 504, Brief for the Appellant.

[5] The relevant portion of Section 44 of Commonwealth Act No. 141, otherwise known as The Public Land Act (1936), as amended by Republic Act No. 3872 (1964), reads:

Section 44. Any natural-born citizen of the Philippines who is not the owner of more than twenty-four hectares and who since July fourth, nineteen hundred and twenty-six or prior thereto, has continuously occupied and cultivated, either by himself or through his predecessors-in-interest, a tract or tracts of agricultural public lands subject to disposition, or who shall have paid the real estate tax thereon while the same has not been occupied

by any person shall be entitled, under the provisions of this chapter, to have a free patent issued to him for such tract or tracts of such land not to exceed twenty-four hectares. (Emphasis supplied)

[6] See Section 91 of Commonwealth Act No. 141 which reads:

Section 91. The statements made in the application shall be considered as essential conditions and parts of any concession, title, or permit issued on the basis of such application, and any false statements therein or omission of facts altering, changing, or modifying the consideration of the facts set forth in such statements, and any subsequent modification, alteration, or change of the material facts set forth in the application shall ipso facto produce the cancellation of the concession, title, or permit granted. It shall be the duty of the Director of Lands, from time to time and whenever he may deem it advisable, to make the necessary investigations for the purpose of ascertaining whether the material facts set out in the application are true, or whether they continue to exist and are maintained and preserved in good faith, and for the purposes of such investigation, the Director of Lands is hereby empowered to issue subpoenas and subpoenas duces tecum and, if necessary, to obtain compulsory process from the courts. In every investigation made in accordance with this section, the existence of bad faith, fraud, concealment, or fraudulent and illegal modification of essential facts shall be presumed if the grantee or possessor of the land shall refuse or fail to obey a subpoena or subpoena duces tecum lawfully issued by the Director of Lands or his authorized delegates or agents, or shall refuse or fail to give direct and specific answers to pertinent questions, and on the basis of such presumption, an order of cancellation may issue without further proceedings.

[7] Article 420, paragraph 1 of the Civil Code reads:

Article 420. The following things are property of public dominion:

(1) Those intended for public use, such as roads, canals, rivers, torrents, ports and bridges constructed by the State, banks, shores, roadsteads, and others of similar character[.]

[8] Article 502, paragraph 1 of the Civil Code reads:

Article 502. The following are of public dominion:

(1) Rivers and their natural beds[.]

[9] 698 Phil. 275 (2012) [Per J. Bersamin, First Division].

[10] Ponencia, p. 16.

[11] A Decree Instituting a Water Code, Thereby Revising and Consolidating the Laws Governing the Ownership, Appropriation, Utilization, Exploitation, Development, Conservation and Protection of Water Resources (1976).

[12] 23 Phil. 54 (1912) [Per C.J. Arellano, En Banc].

[13] Id. at 56-57.

[14] 272-A Phil. 412 (1991) [Per J. Regalado, Second Division].

[15] Id. at 421-423.

[16] 459 Phil. 903 (2003) [Per J. Carpio-Morales, Third Division].

[17] PRESIDENTIAL DECREE NO. 1067, art. 58.

[18] Rollo, p. 209, Geological & Geomorphological Assessment Report on the Alleged Illegal Titling of Rivers and River Banks at the Municipality of Caoayan, Province of Ilocos Sur dated January 10, 2020.

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