

ANTONIO FACTOR ET AL., PLAINTIFFS AND APPELLEES, VS. ISIDRA MANUEL ET AL., DEFENDANTS AND APPELLANTS.*G. R. No. 37654. December 14, 1934*

Ponente: ABAD SANTOS, J.

Read online (full-text search, related cases, audio case brief): <https://batas.org/library/g-r-no-37654/>**ABAD SANTOS, J.:**

This is an action for damages brought by the plaintiffs and appellees against the defendants and appellants by reason of a final decree of registration which, plaintiffs claimed, the defendants obtained fraudulently, and by which they were deprived of their property. After due trial, the court below found for the plaintiffs and, instead of awarding them the damages sought, ordered the defendants co convey to the plaintiffs the property alleged to have been illegally registered, and to pay to the latter the sum of P1,260 as damages for income derived from the property during the year 1926-1927, and a like sum yearly thereafter and until the delivery of the possession of said property to the plaintiffs. From this judgment: the defendants prosecuted this appeal.

The principal question raised by the appellants is that of res adjudicata. On this point, the evidence shows that, as to that part of the property claimed by Antonio Factor, the issues now raised have already been concluded by a suit for the recovery of property began by the appellants in 1914 against said Antonio Factor and decided on appeal by this court in 1918 in favor of the former.[1] The record further shows that in 1919 appellants applied for the registration in their names of a parcel of land described in an unperfected possessory information title issued in the name of their father Tomas Manuel, deceased. Said application was opposed by the herein appellees, and the principal issues thus raised concerned, among other things, the identity and area of the land sought to be registered, and the respective rights of the parties to said land. After a protracted trial, the court below in February 1924 dismissed appellees' opposition and decreed the registration of the land in the names of the appellants. From this order the then opponents, appellees herein, appealed to this court, but this court affirmed said order in November 1924.[1] In or about January 1925 appellees herein filed a petition for review of the decree on the ground of fraud, which petition was denied after due hearing.

In the meantime, in 1924, appellants brought an action against the appellees to recover damages for unlawful possession of the property in question. In said case, numbered 3680 in the court below, appellees set up, as special defenses, the very grounds on which their petition for review of the decree of registration was based. After due trial, the court below, in an elaborate opinion in which it recited in full the evidence adduced by the appellees in substantiation of their defenses, decided the case in favor of the appellants. From said decision the appellees appealed, which appeal was dismissed by this court for lack of merit.

In another suit filed by the appellants against the appellees for damages by reason of fruits and other products gathered by the latter from the property in question during the year 1926, the appellees' appear to have set up practically the same defenses interposed in the previous civil case No. 3680. On motion of counsel for the appellees, the decision in the case was held in abeyance until the decision of this court in civil case No. 3680 was promulgated, whereupon judgment was rendered by the court below in favor of the appellants.

Scarcely one month had elapsed from the date of the promulgation of the decision of this court in civil case No. 3680, the present suit was begun by the appellees. This suit is predicated on substantially the same facts as those alleged in the petition filed by the appellees for review of the decree of registration above adverted to, which were also the same facts upon which their defenses in the two civil actions were based.

It is thus clear that the rights asserted in the instant case have already been concluded, as to Antonio Factor, by four decisions of the court below and by three of this court; and, as to the other appellees, by three decisions of the court below, and by two of this court. In disposing of the appeal in the aforesaid civil case No. 3680, which affected all the parties herein, this court said: "This is a futile effort on the part of the appellants (appellees herein) to retry title to land which has been determined against them in a land registration proceeding * * *" And continued: "Perhaps the nearest point that comes to be a debatable question in the case is whether or not the defendants (appellees herein) might be considered possessors in good faith of the land during the time the fruits and produce in question were taken, but in view of ancient litigation and pendency of the registration proceeding No. 798, this contention is evidently without merit."

In deciding the instant case in favor of the appellees the lower court relied on *Estrellado and Alcantara vs. Martinez* (48 Phil., 256). But this case is not in point. This was an action for damages instituted by Estrellado who was wrongfully deprived of her land by virtue of a decree of registration issued in favor of Martinez. In the registration proceeding, Estrellado was not made a party. When she sought a review of said decree on the ground of fraud, her petition was denied on the sole ground that no fraud was proven, but her right to the land claimed by her was fully recognized in the order of denial. Moreover, Estrellado's rights were not concluded by judgments such as those rendered against the appellees in the present case.

In view of the conclusion we have reached, we deem it unnecessary to discuss the other questions raised by the appellants.

The judgment appealed from is, therefore, reversed and the complaint herein dismissed, with costs against the appellees in both instances. So ordered.

Malcolm, Villa-Real, Butte, and Diaz, JJ., concur.

[1] G. R. No. 13029. *Manuel vs. Factor and Mendez*, promulgated August 24, 1918, not reported.

[1] G. R. No. 22397. *Manuel vs. Mabalay*, promulgated November 19, 1924, not reported.

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.