

EL MONTE DE PIEDAD Y CAJA DE AHORROS DE MANILA, PLAINTIFF AND APPELLEE, VS. JORGE VELASCO ET AL., DEFENDANTS. SIMEON MANUEL, ANGELO MANUEL, JORGE VELASCO, AND FRANCISCA PANTTG, ...*G.R. No. 42228. May 21, 1935*

Ponente: HULL, J.

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This action was instituted in the Court of First Instance of Bataan by the Roman Catholic Archbishop of Manila, later substituted by El Monte de Piedad y Caja de Ahorros, for the purpose of recovering certain parcels of land situated in the municipality of Dinalupihan; Province of Bataan. After answers by the several defendants trial was had, and the lower court rendered judgment the dispositive part of which reads as follows:

"En vista de las consideraciones arriba "expuestas, el Juzgado cree que la demandante es dueña exclusiva de los terrenos objeto de los títulos de los demandados; que dichos títulos no pueden prevalecer contra el título Torrens de la demandante. Por tanto, se declara que las parcelas de terrenos cubiertas por los Títulos de homestead de los demandados son de la propiedad de la demandante; que los certificados de título expedidos para los mismos son nulos y de ningún valor, y que deben ser cancelados; y se ordena a los demandados que entreguen la posesión de los homesteads a la demandante. Se absuelve a la demandante de las reconveniones, con costas a los demandados Jorge Velasco, Francisca Pantig, Angelo Manuel y Simeon Manuel."

The legal question presented in this appeal arises from the following facts: The parcels in question are portions of a larger tract commonly known as the Dinalupihan Rice Estate. The Roman Catholic Archbishop of Manila acquired ownership over this hacienda on November 7, 1894, by virtue of a composition title with the State, and the same was duly adjudicated to said owner in 1914 in a registration proceeding (G. L. R. 0. Record No. 9271). In that registration case the Government of the Philippine Islands had interposed an opposition, which was overruled. Thereafter, in 1922, a Torrens certificate of title was issued pursuant to the decision in the registration case. The interest of the Roman Catholic Archbishop of Manila was subsequently conveyed to the present plaintiff, El Monte de Piedad y Caja de Ahorros, which now holds Torrens Transfer Certificate of Title No. 1301 to the hacienda which includes the parcels in controversy. In the meantime, however, the several defendants had filed with the Bureau of Lands homestead applications covering the portions which are sought to be recovered in this action, and the homestead patents were issued in favor of Mateo Peñaflores on June 5, 1917, in favor of Anacleto Manuel and Simeon Manuel on July 23, 1918, and in favor of Jorge Velasco on January 22, 1919. We are called upon to decide which of the two sets of title ought to prevail.

We agree with the trial court that plaintiff's title is superior to those of defendants. It is true that the Torrens title of plaintiff's grantor was not issued until May 20, 1922, but the decision in pursuance of which the same was issued was rendered on May 15, 1914. And when the homestead patents were handed down, the Government had notice of said decision. We hold, as did the trial court, that the Torrens title issued by virtue of a decree entered in a registration proceeding is superior to the homestead patents granted subsequent to such decree. "It is settled

conclusively in this jurisdiction that the titles issued by virtue of final decrees of the Court of Land Registration or of the Courts of First Instance in accordance with the provisions of the Land Registration Act (Act No. 496) are conclusive and binding upon all the world." (De los Reyes vs. [^]Razon, 38 Phil., 480, 482.) On the other hand, "the proceedings by which titles to portions of the public domain are granted to homesteaders in accordance with the provisions of the Public Land Act, on the contrary, are purely administrative." (De los Reyes vs. Razon, supra.)

The defendants' claim for improvements cannot be accepted. After the decision was rendered in the registration proceeding in favor of plaintiff's grantor, defendants cannot be said to be possessors in good faith. The contention of appellants that this case should be considered under section 102 of Act No. 2874 is without merit. That Act was approved in April, 1919, long after the registration case and the homesteads had become established facts. By the very terms of the Act itself, it could have no application to this case. Moreover, we think that they were amply compensated by the benefits derived from their possession.

Although we are not unmindful of the fact that this decision will spell hardships on the part of appellants, it would be departing from the established law if we should not give recognition to the superior title of plaintiff.

The judgment appealed from will therefore be affirmed, and it is so ordered, With costs against appellants.

Abad Santos, Vickers, and Diaz, JJ., concur.

Malcolm, J., concurs in the result.

Judgment affirmed.

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