

REPUBLIC OF THE PHILIPPINES, PETITIONER, VS. INTERMEDIATE APPELLATE COURT, GUILLERMO GONZALVES RESPONDENTS.

G.R. No. 74170. July 18, 1989

Ponente: NARVASA, J.

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NARVASA, J.:

The chief question presented in the appeal at bar concerns the validity of a conveyance of residential land to an alien prior to his acquisition of Filipino citizenship by naturalization.

The Trial Court's description of the factual background is largely undisputed. The case principally concerns Chua Kim @ Uy Teng Be, who became a naturalized Filipino citizen, taking his oath as such, on January 7, 1977.[1] He was the adopted son of Gregorio Reyes Uy Un.

The case involved three (3) parcels of land, which were among those included in Land Registration Cases Numbered 405 and 14817 of the Court of First Instance of Quezon Province: Lots Numbered 1 and 2, plan Psu-57676,1 and Lot No. 549 of plan AP-7521 -- identical to Plan Psu-54565.2 These were respectively adjudicated in said land registration cases to two persons, as follows:

- 1) Lots 1 and 2, Psu-57676, to the Spouses Benigno Mañosca and Julia Daguison (in Opposition No. 51);³ and
- 2) Lot 549, AP-7521 (Psu-54565), to Gaspar Marquez, married to Marcela Masaganda (in Opposition No. 155).⁴ However, no decree of confirmation and registration was entered at the time.

Lots 1 and 2, Psu-57676, were sold by the owners, the Mañosca Spouses, to Gregorio Reyes Uy Un on Dec. 30, 1934.⁵ Lot 549, Psu-54565, was also sold by the Marquez Spouses to Gregorio Reyes Uy Un on December 27, 1934.⁶

Subsequently, Gregorio Reyes Uy Un died, and his adopted son, Chua Kim @ Uy Teng, took possession of the property.

The three (3) parcels of land above mentioned, together with several others, later became subject of a compromise agreement in a litigation in the Court of First Instance of Quezon Province, docketed as Civil Case No. C-385.7 The compromise agreement was executed not only by the parties in the case (plaintiffs Domingo Reyes and Lourdes Abustan, and the defendants, So Pick, et al.) -- respectively described as "First Parties" and "Second Parties" -- but also Chua Kim @ Ting Bee Uy, designated therein as "Third Party," although he had not been impleaded as a party to the case. In the agreement, in consideration of Chua Kim's renunciation (a) of "any right or claim of whatever nature in ** (certain specifically identified) parcels of land" and (b) of any other claim against the First Parties and Second Parties, both the latter, in turn, waived "any claim of ownership or other right in or to the parcels of land, or the improvements thereon, in Buenavista, Quezon covered by OCT Nos. 3697, 3696, 3439 and 4382 of the Registry of Deeds of Quezon," in the name of Gregorio Reyes Uy Un, Chua Kim's adoptive father, and that they (the First and Second Parties) "will not oppose the transfer, by means not contrary to law, of the ownership thereof to the Third Party," said Chua Kim. The compromise agreement was afterwards

submitted to the Court¹ which rendered judgment on July 29, 1970 (amended by Order dated July 31, 1970), approving the same.²

Chua Kim then filed a petition for issuance of decree of confirmation and registration in Land Registration Case No. 405 (LRC Rec. No. 14817) of the Court of First Instance of Quezon Province.³

After due proceedings, and on the basis of the foregoing facts found to have been duly proven by the evidence, the Court of First Instance of Quezon⁴ promulgated on January 14, 1982 the following Order, to wit:

WHEREFORE, premises considered, this Court finds that herein petitioner Chua Kim alias Uy Teng Be has duly established his registerable title over the properties in question in this land registration case in so far as Oppositions Nos. 51 and 155 are concerned, and hereby GRANTS his petition. The decision rendered on January 14, 1933 in so far as Oppositions Nos. 51 and 155 are concerned, is hereby amended adjudicating the said properties, better known now as Lots 1 and 2 of plan Psu-57676 in Opposition No. 51 and as Lot 549 of plan Ap-7521, which is identical to plan Psu-54565 in Opposition No. 155, to herein petitioner Chua Kim alias Uy Teng Be. Upon this order becoming final, let the corresponding decrees of confirmation and registration be entered and thereafter upon payment of the fees required by law, let the corresponding certificate of titles be issued in the name of petitioner, Chua Kim alias Uy Teng Be, married to Amelia Tan, of legal age, a naturalized Filipino citizen, and a resident of the Municipality of Buenavista, Province of Quezon, as his own exclusive properties, free from all liens and encumbrances.

SO ORDERED.

The Republic of the Philippines, through the Solicitor General, challenged the correctness of the Order and appealed it to the Court of Appeals. That Court, however, affirmed the Order "in all respects," in a decision promulgated on March 25, 1986.⁵

Still not satisfied, the Republic has come to this Court on appeal by certiorari, in a final attempt to prevent the adjudication of the property in question to Chua Kim. The Solicitor General argues that -

- 1) the deeds and instruments presented by Chua Kim to prove the conveyance to him of the lands in question by the successor-in-interest of the original adjudicatees are inadequate for the purpose; and
- 2) Chua Kim has not proven his qualification to own private agricultural land at the time of the alleged acquisition of the property in question.

The Republic's theory is that the conveyances to Chua Kim were made while he was still an alien, i.e., prior to his taking oath as a naturalized Philippine citizen on January 7, 1977, at a time when he was disqualified to acquire ownership of land in the Philippines (ART XIII, SEC. 5, 1935 Constitution; ART. XIV, Sec. 14, 1973 Constitution); hence, his asserted titles are null and void.¹ It is also its contention that reliance on the decision and amendatory order in Civil Case No. C-385 of the CFI, Rizal² is unavailing, since neither document declares that the property in question was adjudicated to Chua Kim as his inheritance from his adoptive father, Gregorio Reyes Uy Un.³

The conclusions of fact of the Intermediate Appellate Court, sustaining those of the Land Registration Court, reached after analysis and assessment of the evidence presented at a formal hearing by the parties, are by firmly entrenched rule binding on and may not be reviewed by this Court.⁴ Those facts thus found to exist, and the legal principles subsumed in them, impel rejection of the Republic's appeal.

It is a fact that the lands in dispute were properly and formally adjudicated by a competent Court to the Spouses Gaspar and to the Spouses Marquez in fee simple, and that the latter had afterwards conveyed said lands to Gregorio Reyes Uy Un, Chua Kim's adopting parent, by deeds executed in due form on December 27, 1934 and

December 30, 1934, respectively. Plainly, the conveyances were made before the 1935 Constitution went into effect, i.e., at a time when there was no prohibition against acquisition of private agricultural lands by aliens.¹ Gregorio Reyes Uy Un therefore acquired good title to the lands thus purchased by him, and his ownership was not at all affected either (1) by the principle subsequently enunciated in the 1935 Constitution that aliens were incapacitated to acquire lands in the country, since that constitutional principle has no retrospective application,² or (2) by his and his successor's omission to procure the registration of the property prior to the coming into effect of the Constitution.³

It is a fact, furthermore, that since the death of Gregorio Reyes Uy Un in San Narciso, Quezon, in 1946, Chua Kim @ Uy Teng Be had been in continuous possession of the lands in concept of owner, as the putative heir of his adoptive father, said Gregorio Reyes;⁴ this, without protest whatever from any person. It was indeed Chua Kim's being in possession of the property in concept of owner, and his status as adopted son of Gregorio Reyes, that were the factors that caused his involvement in Civil Case No. C-385 of the CFI at Calauag, Quezon, at the instance of the original parties thereto,⁵ and his participation in the Compromise Agreement later executed by all the parties. As already mentioned, that compromise agreement, approved by judgment rendered on July 29, 1970,⁶ implicitly recognized Chua Kim's title to the lands in question.

Be this as it may, the acquisition by Chua Kim of Philippine citizenship should foreclose any further debate regarding the title to the property in controversy, in line with this Court's rulings relative to persons similarly situated.⁷ In *Sarsosa Vda. de Barsobia v. Cuenco*, 113 SCRA 547, for instance, the ruling was as follows:

... The litigated property is now in the hands of a naturalized Filipino. It is no longer owned by a disqualified vendee. Respondent, as a naturalized citizen, was constitutionally qualified to own the subject property. There would be no more public policy to be served in allowing petitioner Epifania to recover the land as it is already in the hands of a qualified persons. Applying by analogy the ruling of this Court in *Vasquez vs. Giap and Li Seng Giap & Sons* (96 Phil. 447 [1955]).

* * * if the ban on aliens from acquiring not only agricultural but also urban lands, as construed by this Court in the *Krivenko* case, is to preserve the nation's land for future generations of Filipinos, that aim or purpose would not be thwarted but achieved by making lawful the acquisition of real estate by aliens who became Filipino citizens by naturalization.

WHEREFORE, the petition is DISMISSED, and the judgment of the Intermediate Appellate Court subject thereof AFFIRMED in toto.

SO ORDERED.

Cruz, Gancayco, Griño-Aquino, and Medialdea, JJ., concur.

* Actually, Guillermo Gonzalves should not have been impleaded as respondent in this case at all; he was an unsuccessful applicant in the registration proceedings before the Cadastral Court (Land Reg. Cases No. 405 and 14817), but has not taken part in any of the subsequent proceedings in the Court of Appeals or this Court. The real party respondent is Chua Kim @ Uy Teng Be, who was also a petitioner/applicant, and eventually the prevailing party, in the registration proceedings; and it is his right to the lands in question that is challenged by the Republic.

[1] Exhs. A, A-1

1 Exhs. B, B-1 and B-2

2 Exhs. C, C-1 and C-2

3 Exh. D-1

4 Exh. D-2

5 Exh. F

6 Exh. G

7 The plaintiffs were Domingo Reyes and Lourdes Abustan; the defendant was So Pic or Pick @ Ignacia Te @ Kui Tin or Siu Tin Te

1 Chua Kim thereby voluntarily submitted himself to the jurisdiction of the Court.

2 Exh. J

3 See footnotes 1 and 2, at page 2, supra

4 Branch IV, Calauang, Quezon Province, Hon. Conrado R. Antona, presiding

5 Ejercito J., ponente, with whom concurred Coquia, Zosa and Bartolome, JJ.

1 Rollo, p. 32

2 Exhs. H and I, respectively

3 Rollo, p. 33

4 Cailes, et al. v. Mayuga, et al., G.R. No. L-30859, Feb. 20, 1989; Dihiansan et al. v. C.A., 153 SCRA 712 (1987); Rebuleda v. IAC, 155 SCRA 520 (1987); Korean Airlines, Ltd. v. C.A., 154 SCRA 211 (1987), cited in Sabena Belgian World Airlines v. C.A., et al., G.R. No. 82068, March 31, 1989

1 Tejido v. Zamacoma, 138 SCRA 78; (1985), citing Herrera v. Luy Kim Guan, 1 SCRA 413; Heirs of Francisco Parco v. Haw Pia, 45 SCRA 164 (1983); see, also, Almario v. Corrales, CA-G.R. No. 923-R, Nov. 24, 1947, 45 O.G. 795

2 Tejido v. Zamacoma, 138 SCRA 78, supra; Heirs of Francisco Parco v. Haw Pia, 45 SCRA 164, supra; Falcasantos v. Haw Suy Ching, 91. Phil. 456

3 See Heirs of Francisco Parco v. Haw Pia, supra, and Bautista v. Dy Bun Chin, CA-G.R. No. 6983-R, Oct. 30, 1953, 49 O.G. 179

4 Par. 4, p. 9, Record

5 As earlier pointed out (footnote 5, p. 2, supra), the plaintiffs were Domingo Reyes and Lourdes Abustan; the defendant was So Pic or Pick @ Ignacia Te @ Kui Tin or Siu Tin Te

6 Exh. H

7 E.g., Sarsosa Vda. de Barsobia v. Cuenco, 113 SCRA 547, reiterated in Godines v. Fong Pak Luen, 120 SCRA 223 (1983) and Yap v. Grageda, 121 SCRA 244 (1983); de Castro v. Joaquin Teng Queen Tan, et al., 129 SCRA 85 (1984)

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