

RICARDO SERRANO AND FIDELA CASTALONE, PETITIONERS, VS. COURT OF APPEALS, FIDEL ADOFINA, MIGUEL ADVENTO, AND DAMIAN CANAWIN, RESPONDENTS.

G.R. No. 77808. September 12, 1990

Ponente: PADILLA, J.

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PADILLA, J.:

This is a petition for review on certiorari seeking to reverse and set aside the decision* of the Court of Appeals in CA-G.R. CV No. 07174, dated 27 November 1986, affirming the decision of the Regional Trial Court of Laguna, dated 13 December 1984, in Civil Case No. S-251, which had dismissed herein petitioners' complaint.

The facts are not disputed. They are:

On separate dates, two (2) civil actions were filed before the Regional Trial Court of Laguna, both for Quieting of Title and Recovery of Possession with Damages and Injunction. In Civil Case No. S-185, herein petitioners, the spouses Ricardo Serrano and Fidela Castalone, were the defendants. In Civil Case No. S-251, the same petitioners-spouses were the plaintiffs. Both suits involved the same property.

In Civil Case No. S-251, the complaint of the petitioners-spouses Ricardo Serrano and Fidela Castalone for Quieting of Title and Recovery of Possession with Damages and Injunction was filed against the herein respondents Miguel Advento, Damian Canawin, and Fidel Adofina. In their complaint, the petitioners claimed ownership over two (2) parcels of riceland located at Bo. Wawa, Kay Bagsak, Siniloan, Laguna. Their claim was premised on a deed of sale allegedly executed in their favor by a certain Tomas Castalone and Maria Cuarigna. Petitioners further alleged that respondents (defendants) unlawfully entered the property and used the same to the damage and prejudice of the petitioners (plaintiffs).

Respondent Miguel Advento denied the petitioners' claim of ownership. He did not, however, claim ownership for himself but admitted that he was merely a tenant of one Isabel Advento, the owner of the land. Respondent Advento also called attention to a civil case entitled "Isabel Advento, et al. v. Ricardo Serrano, et al.," docketed before the court as Civil Case No. S-185, an action also for Quieting of Title and Recovery of Possession with Damages and Injunction filed against petitioners and involving the same parcels of land subject of Civil Case No. S-251.

Respondent Damian Canawin for his part denied the claim of ownership of the petitioners. He admitted that he was merely a tenant of Isabel Advento, Vicente Redor, Juanito Villegas, and Eduardo Religioso, the owners of the said property.

Respondent Fidel Adofina in turn admitted that he was a tenant of the disputed property, pursuant to the authority given to him by a certain Mauro Pascasio.

During the pendency of Civil Case No. S-251, or on 17 August 1984, the RTC of Laguna in the other case, Civil Case No. S-185, rendered a decision in favor of the plaintiffs therein, Isabel Advento, et al. and against the

defendants, Ricardo Serrano, et al. (herein petitioners). The plain-tiffs in said case were declared, after trial on the merits, the owners of the land in dispute.

Herein petitioners' appeal from the judgment in Civil Case No. S-185 was filed beyond the reglementary period[1] for which reason, said judgment became final and executory.

Meanwhile, in Civil Case No. S-251, herein respondents urged the court a quo to dismiss petitioners complaint, on the ground that it had become moot and academic as a result of the judgment in Civil Case No. S-185. On 13 December 1984, the complaint was dismissed, the court a quo holding that the decision in Civil Case No. S-185, which had declared that the disputed parcels of land belong to Isabel Advento, et al. (and not to Ricardo Serrano, et al.) indeed rendered the complaint in Civil Case No. S-251 moot and academic.

The decision of the RTC dismissing the complaint in Civil Case No. S-251 was in turn questioned by the petitioners on appeal to the Court of Appeals. As already adverted to, on 27 November 1986, the Court of Appeals affirmed the decision of the RTC in said Civil Case No. S-251. A motion for reconsideration was filed by the petitioners but the same was denied on 10 March 1987.

Hence, this recourse.

The sole issue is whether or not the Court of Appeals acted contrary to law in rendering its decision affirming that of the court a quo dismissing the complaint in Civil Case No. S-251.

The petition is devoid of merit.

In order to maintain an action to quiet title, the plaintiff must have legal or equitable title to, or interest in the property in dispute. Thus, Article 477 of the Civil Code provides:

"Art. 477. The plaintiff must have legal or equitable title to, or interest in the real property which is the subject matter of the action. He need not be in possession of said property."

The court a quo in Civil Case No. S-185 had ruled in favor of Isabel Advento, et al., the plaintiffs therein, and declared them owners of the property in dispute against defendants therein, who are the herein petitioners. The judgment in Civil Case No. S-185 became final and executory; plaintiffs' ownership over the property became thenceforth incontestable and could no longer be disturbed. Herein petitioners are bound by that judgment in Civil Case No. S-185, having been impleaded therein as defendants.

In Civil Case No. S-251 which led to the instant petition, it is undisputed that the subject parcels of land located at Bo. Wawa, Kay Bagsak, Siniloan, Laguna are the very same parcels of land adjudged in Civil Case No. S-185 as belonging to the plaintiffs therein. That judgment is binding not only on the parties in said case, but also on the plaintiffs' lessees, the herein respondents. For a judgment is conclusive between the parties and their successors-in-interest with respect to the matter directly adjudged or as to any other matters that could have been raised in relation thereto.[2]

Besides, an issue resolved in one case cannot be re-litigated in a subsequent case even if based on a different cause of action but litigating the same issue. The policy of the law is to avoid multiplicity of suits such that if an issue has been resolved in one case, it cannot be re-litigated in a subsequent case even if based on a different cause of action. This petition must fall, for it is clear that the issue raised herein, i.e. ownership of the property in question, had already been resolved with finality in Civil Case No. S-185 against the herein petitioners.

Civil Case No. S-185 was decided in favor of Isabel Advento, et al., declaring them the owners of the land, subject of the instant complaint. Necessarily, the cause of action of herein petitioners in Civil Case No. S-251 re--litigating the same issue of ownership has become moot and academic. That cause of action must, as a

consequence, be dismissed as against respondents who are mere lessees of Isabel Advento, et al.. Stated differently, petitioners have no cause of action against respondents for they (respondents) claim no ownership over the above mentioned parcels of lands. On the contrary, they admit that the land belongs to Isabel Advento, et al. and that they are mere tenants of said owners.

WHEREFORE, the present petition is DENIED. The decision of the Court of Appeals dated 27 November 1986 is AFFIRMED.

SO ORDERED.

Melencio-Herrera, (Chairman), Paras, Sarmiento, and Regalado, JJ., concur.

* Penned by Justice Bienvenido C. Ejercito and concurred in by Justices Rodolfo A. Nocon and Antonio M. Martinez.

[1] Private respondents' brief in the Court of Appeals, pp. 3 and 11

[2] JM Tuason & Co. Inc. vs. Torres, G.R. No. L-24559, 22 July 1981, 105 SCRA 653

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