

ALBERTO G. PINLAC, ATTY. ERIBERTO H. DECENA, RODOLFO F. REYES, FELIPE BRIONES, JUANITO METILLA, JR., FELIPE A. FLORES, HERMINIO ELEVADO, NARCISO S. SIMEROS, PETITIONERS, VS. COU...

G.R. No. 91486. September 10, 2003

Ponente: SANDOVAL-GUTIERREZ, J.

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SANDOVAL-GUTIERREZ, J.:

This resolves the Petition-In-Intervention[1] filed by the Republic of the Philippines, represented by the Land Registration Authority and the Motion for Clarification[2] filed by respondents.

The facts may be briefly restated as follows: The controversy stemmed from a Petition for Quieting of Title filed by petitioners over 3 vast parcels of land known as Lot Nos. 1, 2 & 3. Lot No. 1 is covered by TCT No. 5690, while Lot Nos. 2 and 3 were originally covered by OCT No. 614 and OCT No. 333, respectively. On March 21, 1988, the trial court rendered a Partial Decision[3] in favor of petitioners and against the defendants who were declared in default, including respondent owners of Vilmar-Maloles (Wilma) Subdivision whose properties were within Lot No. 2. The dispositive portion of which reads:

WHEREFORE, premises considered, judgment is hereby rendered in favor of petitioners and against the defaulted respondents:

- 1) Declaring petitioners through the principal petitioners hereof, to wit: Alberto G. Pinlac, Atty. Eriberto H. Decena, Rodolfo T. Reyes, Felipe Briones and Juanito S. Metilla as absolute owners in fee simple title of the aforesaid Lots 1, 2 & 3 hereof by virtue of extra-ordinary prescription, with the exception of the lands covered by the respective transfer certificate of title belonging to the non-defaulted respondents;
- 2) Declaring Original Certificate of Title No. 614, TCT No. 5690 and TCT No. 3548 of the Register of Deeds of Quezon City, and the subsequent TCTs issued therefrom, with the exception of those titles belonging to the non-defaulted respondents, as null and void ab initio;
- 3) Ordering the Register of Deeds of Quezon City to cancel OCT No. 614, TCT No. 5690 and TCT No. 3548 as well as the subsequent TCTs issued and emanating therefrom, with the exception of those titles belonging to the non-defaulted respondents, from its record;
- 4) Declaring the area of TCT No. 333 in excess of its true and actual area of 4,574 Sq. Meters, as well as the TCTs subsequently issued by the Register of Deeds of Quezon City, covering the area in excess of said actual area, with the exception of those belonging to non-defaulted respondents, as null and void ab initio;
- 5) Ordering the Register of Deeds of Quezon City to cancel all TCTs subsequently issued based on OCT No. 333 in excess of the actual area of 4,574 Sq. Meters, with the exception of those titles belonging to the non-defaulted respondents;
- 6) Declaring the writ of preliminary injunction dated August 7, 1985, in so far as those areas covered by the cancelled OCTs and TCTs hereof are concerned, as permanent;

7) Ordering the Register of Deeds of Quezon City to issue herein petitioners the corresponding individual transfer certificate of titles upon proper application made thereof.

SO ORDERED.

On May 17, 1989, the defaulted title owners of Vilma filed with the Court of Appeals a Petition to Annul the Partial Decision of the trial court, which was granted in a decision[4] dated November 15, 1989. The appellate court ruled that the court a quo did not acquire jurisdiction over the person of respondents because of defective service of summons by publication. Petitioners' motion for reconsideration of the said decision was denied; hence, they filed this petition for certiorari.

On January 19, 2001, we rendered a Decision denying the petition and affirming the Judgment of the Court of Appeals. The dispositive portion thereof reads:

WHEREFORE, in view of all the foregoing, the decision of the Court of Appeals in CA-G.R. SP No. 17596 is AFFIRMED and the instant petition is DENIED for lack of merit.

SO ORDERED.[5]

Petitioners filed a Motion for Reconsideration[6] contending, inter alia, that the disposition of the trial court with respect to Lot No. 3, should not have been annulled by the Court of Appeals because the petition for annulment of judgment filed by the respondents concerned only Lot No. 2. They prayed that the January 19, 2001 decision of the Court which affirmed the decision of the Court of Appeals be reconsidered insofar as Lot No. 3 is concerned.

On November 20, 2001, the Court issued a Resolution partially granting petitioner's motion for reconsideration by reinstating paragraphs 4 and 5 of the dispositive portion of the trial court's Partial Decision pertaining to Lot No. 3, thus –

WHEREFORE, the Motion for Reconsideration is PARTIALLY GRANTED and our Decision promulgated on January 19, 2001 is MODIFIED as follows:

(1)

reinstating paragraph (4) and (5) of the Partial Decision of the court a quo; and

(2)

affirming the Decision of the Court of Appeals in CA-G.R. No. 17596 in all other respects.

SO ORDERED.[7]

On July 22, 2002, the Republic of the Philippines, represented by the Land Registration Authority (LRA), thru the Office of the Solicitor General (OSG), filed a motion for intervention and a Petition-In-Intervention praying that judgment be rendered declaring:

1)

That OCT No. 333 is a valid and existing title in line with the decisions this Honorable Court had already rendered;

2)

That OCT No. 333 was never expanded from its original area of 52,949,737 square meters;

3)

That the land occupied by petitioners is not forest land and is covered by OCT No. 333;

4)

That the proceedings conducted in Civil Case No. Q-35673 with respect to OCT No. 333 are null and void; and

5)

That the proceedings conducted in Civil Case No. Q-35672 is null and void, no notice of the hearings/proceedings having been sent to the Republic and other interested parties.

The Republic likewise prays for such other relief as may be just and equitable under the circumstances.[8]

The rule on intervention, like all other rules of procedure is intended to make the powers of the Court fully and completely available for justice. It is aimed to facilitate a comprehensive adjudication of rival claims overriding technicalities on the timeliness of the filing thereof.[9] Indeed, in exceptional cases, the Court has allowed intervention notwithstanding the rendition of judgment by the trial court. In one case, intervention was allowed even when the petition for review of the assailed judgment was already submitted for decision in the Supreme Court.[10]

In *Mago v. Court of Appeals*,[11] intervention was granted even after the decision became final and executory, thus –

...The permissive tenor of the provision on intervention shows the intention of the Rules to give to the court the full measure of discretion in permitting or disallowing the same. But needless to say, this discretion should be exercised judiciously and only after consideration of all the circumstances obtaining in the case.

But it is apparent that the courts a quo only considered the technicalities of the rules on intervention and of the petition for relief from judgment. The denial of their motion to intervene arising from the strict application of the rule was an injustice to petitioners whose substantial interest in the subject property cannot be disputed. It must be stressed that the trial court granted private respondent's petition for prohibition with injunction without petitioners being impleaded, in total disregard of their right to be heard, when on the face of the resolution of the Community Relations and Information Office (CRIO) sought to be enjoined, petitioners were the ones directly to be affected. We need not belabor the point that petitioners are indeed indispensable parties with such an interest in the controversy or subject matter that a final adjudication cannot be made in their absence without affecting, nay injuring, such interest.

In *Director of Lands v. Court of Appeals* where the motions for intervention were filed when the case had already reached this Court, it was declared:

It is quite clear and patent that the motions for intervention filed by the movants at this stage of the proceedings where trial had already been concluded x x x and on appeal x x x the same was affirmed by the Court of Appeals and the instant petition for certiorari to review said judgment is already submitted for decision by the Supreme Court, are obviously and manifestly late, beyond the period prescribed under x x x Section 2, Rule 12 of the Rules of Court [now Rule 19, Section 2 of the 1997 Rules on Civil Procedure].

But Rule 12 of the Rules of Court, like all other Rules therein promulgated, is simply a rule of procedure, the whole purpose and object of which is to make the powers of the Court fully and completely available for justice. The purpose of procedure is not to thwart justice. Its proper aim is to facilitate the application of justice to the rival claims of contending parties. It was created not to hinder and delay but to facilitate and promote the administration of justice. It does not constitute the thing itself which courts are always striving to secure to litigants. It is designed as the means best adopted to obtain that thing. In other words, it is a means to an end.

In *Tahanan Development Corp. v. Court of Appeals*, this Court allowed intervention almost at the end of the

proceedings. Accordingly, there should be no quibbling, much less hesitation or circumvention, on the part of subordinate and inferior courts to abide and conform to the rule enunciated by the Supreme Court.[12]

The Solicitor General summarized the interest of the Republic in Lot No. 3 (originally covered by OCT No. 333), as follows:

On March 5, 1979, then President Marcos issued Proclamation No. 1826 "reserving for national government center site a parcel of land situated in the Constitution Hill, Quezon City, Metro Manila, containing an area of four million for hundred forty thousand FOUR HUNDRED SIXTY-SIX SQUARE METERS." In a certification [Annex "F", Rollo, p. 1415] issued by the Land Registration Authority, it attested to the fact that the National Government Center described in Proclamation No. 1826 "is within the area covered by GLRO Record No. 1037 (OCT-333) and GLRO Record No. 5975 as plotted in our Municipal Index Sheet (MIS) Nos. 2574-C, 5707-B, 5708-A, 5708-B and 3339-D."

In a letter [Annex "B-2", Rollo, p. 1330], the Housing and Urban Development Coordinating Council certified that within the Project site/jurisdiction of the National Government Center Housing Project (NGCHP) and the NGC-EASTSIDE DEVELOPMENT PROJECT, the following government buildings, offices and complexes are situated:

1)

House of Representatives;

2)

Civil Service Commission (CSC);

3)

Department of Social Works and Development (DSWD);

4)

Sandiganbayan;

5)

Commission on Audit (COA);

6)

Department of Public Works and Highways (DPWH) Depot;

7)

Polytechnic University of the Philippines (PUP) – Commonwealth Campus;

8)

TESDA Skills Training Center;

9)

Several Public Elementary and High Schools, Health Centers and Barangay Halls.

It also certified that the NGCHP under its People's Housing Alternative for Social Empowerment – land Acquisition Development Program (PHASE-LADP), has already awarded 3,975 TCT's to its beneficiaries. This program comprises the biggest chunk of the NGCHP with about 117 hectares intended for disposition to

qualified beneficiaries. Further, in line with the National Government's thrust of fast-tracking the implementation of the NGCHP, the remaining 20,696 TCT's are about to be awarded to qualified beneficiaries." [13]

Clearly, the intervention of the Republic is necessary to protect public interest as well as government properties located and projects undertaken on Lot No. 3. The Constitutional mandate that no person shall be deprived of life, liberty, or property without due process of law can certainly be invoked by the Republic which is an indispensable party to the case at bar. As correctly pointed out by the Solicitor General, while the provision is intended as a protection of individuals against arbitrary action of the State, it may also be invoked by the Republic to protect its properties. [14]

After a thorough re-examination of the case, we find that our November 20, 2001 Resolution reinstating paragraphs 4 and 5 of the trial court's Partial Decision pertaining to Lot No. 3, overlooked certain aspects which, if not corrected, will cause extreme and irreparable confusion and prejudice. The reinstated portions of the decision states:

4) Declaring the area of [OCT] No. 333 in excess of its true and actual area of 4,574 Sq. Meters, as well as the TCTs subsequently issued by the Register of Deeds of Quezon City, covering the area in excess of said actual area, with the exception of those belonging to non-defaulted respondents, as null and void ab initio;

5) Ordering the Register of Deeds of Quezon City to cancel all TCTs subsequently issued based on OCT No. 333 in excess of the actual area of 4,574 Sq. Meters, with the exception of those titles belonging to the non-defaulted respondents; [15]

We note that paragraph 4 does not at all specify which portions are in excess of the 4,574 square meter area of OCT No. 333 and which areas belong to the defaulted and non-defaulted respondents. Neither did the body of the trial court's decision state the metes and bounds that would serve as basis in implementing the dispositive portion thereof. Verily, this flaw goes into the very identity of the disputed land. Paragraphs 4 and 5 are therefore null and void for having been rendered in violation of the constitutional mandate that "no decision shall be rendered by any court without expressing therein clearly and distinctly the facts and the law on which it is based." [16] Hence, the November 20, 2001 Resolution reinstating paragraphs 4 and 5 of the trial court's Partial Decision should be modified.

The OSG's prayer that OCT No. 333 be held as a valid and existing title is likewise meritorious. In *Republic v. Tofemi Realty Corporation (Tofemi)*, [17] an action for "Cancellation of Titles & Reversion" of TCT No. 55747 and TCT No. 55748, the validity of OCT No. 333 from which said transfer certificates of title originated, has already been settled. In dismissing the petition of the Republic, it was held therein that OCT No. 333 is a valid title duly issued by the Land Registration Court. The Republic did not appeal therefrom and the decision became final and executory. Pertinent portion of which states –

Regarding the issue of nullity of OCT No. 333,

We find that the then Land Registration Court had the power, authority and jurisdiction to issue it. It was issued after trial, or presumptively in a fair and square trial with all the requisites of the law (*The Phil. British Co., Inc. vs. de los Angeles*, 63 SCRA 52).

The Act of Congress of July 1, 1902, known in local history as the "Philippine Bill of 1902", in its sections 13 to 18, mentions three (3) classes of land, to wit, "public land" or public domain, "mineral lands", and "timber land". (*Ramos vs. Director of Lands*, 39 Phil. 175). Early decisions as regards classification of public lands, such as *Mapa vs. Insular Government*, 10 Phil 175, *Ramos vs. Director of Lands*, supra, and *Ankron vs. Government of the Philippine Islands*, 40 Phil. 10, which were decided under the Philippine Bill of 1902 and

the first Public Land Act No. 926 enacted by the Philippine Commission on October 7, 1926, or prior to the passage of Act No. 2874, had impliedly ruled that there was no legal provision vesting in the chief Executive or President of the Philippines the power to classify lands of the public domain into mineral, timber and agricultural; so that the courts then were free to make corresponding classifications in justiciable cases, or were invested with implicit power in so doing, depending upon the preponderance of the evidence. In *Mapa vs. Insular Government*, supra, Feb. 10, 1908, the Court of Land Registration granted the application for registration after finding that it was neither "timber" nor "mineral" and came within the definition of "Agricultural land" under Act 926. The Attorney General appealed. The Supreme Court affirmed the appealed judgment. In G.L.R.O. No. 1037, the application for registration was granted and consequently the issuance of a title was decreed in favor of the applicant because the Land Registration Court found that the land applied for is agricultural susceptible of private appropriation (*Ramos vs. Director of Lands*, supra; *Ankron vs. Government of the Philippine Islands*, supra). We repeat by way of emphasis, the record does not reveal that the Government has always considered the lot in question as forest reserve prior to the issuance of OCT 333. To declare the land now as forest land on the authority of LC Map 639 of Rizal approved on March 11, 1937 only, would deprive defendants of their registered property without due process of law. It was pronounced in *Ramos vs. Director of lands*, supra:

"x x x Upon the other hand, the presumption should be, in lieu of contrary evidence, that land is agricultural in nature. One very good reason is that it is good for the Philippine Islands to have a large public domain come under private ownership. Such is the natural attitude of the sagacious citizen."

OCT No. 333 being legal and valid; ergo, TCTs Nos. 55747 and 55748, being derived from the said mother title, are also legal and valid. These TCTs were in turn derived from TCTs Nos. 45832 and 45833, covering Lots Nos. 65, 76 and 81 which originally formed parts of Parcel C of Plan Psu-32606 approved by the Court of First Instance of Rizal on October 21, 1924. (Emphasis supplied)[18]

Stare decisis et non quieta movere. Stand by the decisions and disturb not what is settled. It is a salutary and necessary judicial practice that when a court has laid down a principle of law applicable to a certain state of facts, it must adhere to such principle and apply it to all future cases in which the facts sued upon are substantially the same.[19] It is beyond cavil, therefore, that since the court had already ruled on the validity OCT No. 333, said issue must be laid to rest and must no longer be relitigated in the present case.

With respect, however, to the area covered by OCT No. 333, the principle of *stare decisis* is not applicable because the decision of the Court of Appeals did not indicate the boundaries of the lot covered by OCT No. 333. While it was held therein that the area of OCT No. 333 is 52,949,735 square meters, the metes and bounds of the land covered by OCT No. 333 was not specified. We cannot adopt the findings as to the area of OCT No. 333 for it might cause deprivation of property of adjacent land owners without due process of law.

So, also, the Court cannot nullify the entire Partial Decision of the court a quo. The defaulted defendants whose properties are located in Lot No. 1 did not question the decision of the trial court. Neither was it shown in the Petition-In-Intervention that the OSG is an indispensable party to Lot No. 1.

In their Motion for Clarification and Manifestation, respondents seek the clarification of paragraph 1 of the trial court's Partial Decision declaring petitioners as owners of, among others, Lot No. 2 where respondents' properties are located. Paragraph 1, provides:

1) Declaring petitioners through the principal petitioners hereof, to wit: Alberto G. Pinlac, Atty. Eriberto H. Decena, Rodolfo F. Reyes, Felipe Briones and Juanito S. Metilla as absolute owners in fee simple title of the aforesaid Lots 1, 2 & 3 hereof by virtue of extraordinary prescription, with the exception of the lands covered by the respective transfer certificate of title belonging to non-defaulted respondents.[20]

In view of the annulment of the trial court's Partial Decision with respect to Lot No. 2 originally covered by OCT

No. 614, all portions of the decision pertaining to Lot No. 2, including that in paragraph 1 declaring petitioners as absolute owners in fee simple of Lot No. 2, is declared void. Likewise, the declaration of nullity of paragraphs 4 and 5 of the dispositive portion of the decision a quo concerning Lot No. 3, renders the disposition in paragraph 1 insofar as it affects Lot No. 3, also void. Under the 1997 Rules on Civil Procedure, specifically Rule 47, Section 7 thereof, a judgment of annulment shall set aside the questioned judgment or final order or resolution and render the same null and void, without prejudice to the original action being re-filed in the proper court.

In the meantime, the World War II Veterans Legionaries of the Philippines (WW II) filed a Petition-in-Intervention with prior leave of court. It alleges that the Court of Appeals' decision dated November 15, 1989 in CA-G.R. SP No. 17596, which is the subject of the instant petition for review, ran counter to the June 22, 1989 decision of the same court in CA-G.R. SP No. 17221, which merely amended the first paragraph of the Partial Decision of the trial court in Civil Case No. Q-35672. The latter decision of the appellate court was affirmed by this Court in G.R. No. 90245 on April 8, 1990.

We find no conflict between the two decisions of the Court of Appeals. It is true that both decisions affected the portion of the Partial Decision of the trial court which declared petitioners, who are individual members of the WW II, as absolute owners of Lot Nos. 1, 2 and 3. However, the decision in CA-G.R. SP No. 17221 merely granted WW II's prayer that it be substituted for its individual members, who were declared the owners of Lot Nos. 1, 2 and 3 in the Partial Decision. Aside from this, the decision in CA-G.R. SP No. 17221 had nothing to do with the merits of the case. As such, it did not contradict the Court of Appeals' decision of November 15, 1989 in CA-G.R. SP No. 17596 which set aside the Partial Decision of the trial court.

WHEREFORE, in view of all the foregoing, the Petition-In-Intervention of the Republic of the Philippines is PARTIALLY GRANTED. The Resolution promulgated on November 20, 2001 is MODIFIED as follows: The Decision dated March 21, 1988 of the Regional Trial Court of Quezon City, Branch 83, in Civil Case No. Q-35762, is annulled insofar as it concerns Lot No. 2, originally covered by OCT No. 614 and Lot No. 3 originally covered by OCT No. 333. The November 15, 1999 Decision of the Court of Appeals in CA-G.R. No. 17596 is affirmed in all other respects.

As clarified above, paragraph 1 of the dispositive portion of the decision of the court a quo is void insofar as it declares petitioners as absolute owners in fee simple of Lot Nos. 2 and 3.

The Petition-in-Intervention filed by the World War Veterans Legionaries of the Philippines is DENIED for lack of merit.

SO ORDERED.

Davide, Jr., C.J., (Chairman), Bellosillo, Carpio, and Carpio-Morales, JJ., concur.

[1] Rollo, p. 1298; In its Resolution dated June 9, 2003 Court also allowed the World War II Veterans Legionaries of the Philippines to intervene by joining the petitioners.

[2] Rollo, p. 1231.

[3] Civil Case No. Q-35762, Regional Trial Court of Quezon City, Branch 83 (Rollo, p. 50).

[4] CA-G.R. SP No. 17596, Rollo, p. 120.

[5] Rollo, p. 1190.

[6] Id., p. 1145.

[7] Id., p. 1212.

[8] Id., pp. 1363-1364.

[9] Director of Lands v. Court of Appeals, G.R. No. L-45168, 25 September 1979, 93 SCRA 238, 246.

[10] Director of Lands v. Court of Appeals, *supra*.

[11] 363 Phil. 225 (1999).

[12] Id. at pp. 233-234, citing Director of Lands v. Court of Appeals, *supra*; Tahanan Development Corp. v. Court of Appeals, 203 Phil. 652 (1982); Martin, Ruperto G., Rules of Court in the Philippines, Civil Procedure with Notes and Comment, Vol. 1, 1989 Ed., pp. 423-424.

[13] Petition-In-Intervention, Rollo, pp. 1349-1350.

[14] Id., p. 1348

[15] Rollo, p. 53.

[16] Constitution, Article III, Section 14; Suarez v. Court of Appeals, G.R. No. 83251, 23 January 1991, 193 SCRA 183, 187-188.

[17] Promulgated by the Court of Appeals on May 5, 1989 in CA G.R. SP No. 05623.

[18] Rollo, pp. 1339-1400.

[19] Secretary of Education Culture and Sports v. Court of Appeals, G.R. No. 128559, 4 October 2000, 342 SCRA 40, citing De la Cruz v. Court of Appeals, 364 Phil. 786 (1999); Moreno, Phil. Law Dictionary, 1988 Ed., p. 902; Santiago v. Valenzuela, 78 Phil. 397 (1947).

[20] Rollo, p. 53.

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