

REV. FR. VICENTE CORONEL, RODOLFO CORONEL, GERARDO CORONEL, SANTOS CORONEL AND DOMINGA CORONEL, PETITIONERS, VS. HON. COURT OF APPEALS, REV. FR. RUSTICO CUEVAS, PRISCILLANO CUEV...

G.R. No. 94699. January 24, 1992

Ponente: PARAS, J.

Read online (full-text search, related cases, audio case brief): <https://batas.org/library/g-r-no-94699/>

PARAS, J.:

This is a petition for review of the decision* of the Court of Appeals dated July 31, 1990 in CA-G.R. No. 13312 entitled "Rev. Fr. Rustico Cuevas, et al., Plaintiffs-Appellees v. Rev. Fr. Vicente Coronel, et al., Defendants-Appellants," which confirmed the decision of the trial court with slight modification.

The facts are as follows: –

The petitioners are the children and compulsory heirs of the late Gaudencio Coronel; while the respondents are the children and compulsory heirs of the late Querubin Cuevas. In turn, their respective ascendants Gaudencio Coronel and Querubin Cuevas are the legitimate, exclusive and compulsory heirs of Bernarda David Lim who died on June 20, 1934 in Betis, Guagua, Pampanga.

Among the properties left by Bernarda David Lim, subject to a Deed of Partition and Grant dated March 12, 1940, is a parcel of land situated at the Barrio of San Nicolas, Municipality of Guagua, Province of Pampanga, containing an area of 1158 square meters more or less designated as Item No. VIII.

In accordance with the aforesaid deed, the lot in question was distributed and adjudicated as follows: –

"(a) 430 square meters to Teodora Henson, in consideration of the services rendered to the late Bernarda Lim;

(b) The remaining portion of said lot clearly remain a community property among the heirs, that is, the party of the first part (Bernarda Sunglao and Rosario Sunglao), the party of the second part (Jose Cuevas, Patricia Cuevas, Cesar Cuevas, Catalina Cuevas and Querubin Cuevas) or the party of the third part, Gaudencio Coronel and Salvador Coronel; and party of the fourth part (Bonifacia David, and Lucia David)." (p. 58, Rollo) (Underscoring supplied).

Further, the father of the respondents was given the right to occupy the whole lot as his house where his family resides was built on lot 5967 and inasmuch as the lot shall remain intact staying as a community property for ten (10) years.

Then on June 24, 1971 Gaudencio Coronel y David filed an application for original registration of title under Act No. 496 swearing among others that he was the owner in fee simple and the only one in occupation of the lot which resulted in Original Certificate of Title No. 5770 dated February 7, 1972. After Gaudencio Coronel died, his heirs, herein petitioners, executed a Deed of Partition among themselves and a Transfer Certificate of Title No. 151931-R was issued in their names on December 7, 1978.

Respondents learned of this fraudulent transfer only on February 1984 when Natalia Cuevas-Garcia and her husband were being sued by petitioners for unlawful detainer before the Municipal Trial Court of Guagua, Pampanga, Branch II, alleging that on the strength of the aforesated TCT No. 151931-R they now have a right to eject the present occupants Natalia Cuevas-Garcia, her husband and family. So the Cuevas clan sought the help of their barangay court but the Coronel clan refused to give up the lot involved forcing the former to litigate.

This led to herein respondents' filing of Civil Case No. G-1533 entitled Rev. Fr. Rustico Cuevas, et al., Plaintiffs, v. Rev. Fr. Vicente Coronel, et al., Defendants, filed before the Regional Trial Court of Guagua, Pampanga, Branch LIII, culminating in the following dispositive portion of its decision dated July 18, 1986, to wit: –

"PREMISES CONSIDERED, judgment is hereby rendered in favor of the plaintiffs against the defendants.

(1) Ordering the defendants to reconvey to the plaintiffs one twelve (1/12) portion of the lot in question covered by TCT.

(2) Ordering the defendants to pay litigation expenses in the amount of P10,000.00, attorney's fee in the amount of P5,000.00 and P2,000.00 appearance fees.

(3) Costs against the defendants." (p. 71, Rollo)

Herein petitioners appealed to the Court of Appeals, which rendered a decision, with the following dispositive portion:

"In view of the foregoing, no reversible error having been found, the appeal is dismissed. The decision is affirmed with the modification that the award of litigation expenses is reduced to Eight Thousand (P8,000.00) Pesos."

Hence, this petition with three assigned errors: –

I

The Honorable Court of Appeals committed a serious error of law in not holding that the action for reconveyance based on trust had prescribed and/or is barred by laches, because the action was brought more ten (10) years after the repudiation of the trust;

II

The Honorable Court of Appeals committed a serious error of law in not holding that the present action constitutes a collateral attack on the transfer Certificate of Title which is not allowed by law;

III

The Honorable Court of Appeals committed a serious error of law in awarding litigation expenses, attorney's fees and appearance fees, without making express findings of facts and law in violation of the rule that such findings must be made to justify such awards. (p. 14, Rollo)

all of which had previously been correctly answered by the trial court and respondent Court of Appeals.

The petition is actually without merit.

This case is governed by Article 494 of the Civil Code, to wit: –

"No prescription shall run in favor of a co-owner or co-heir against his co-owners or co-heirs so long as he expressly or impliedly recognizes the co-ownership."

A careful analysis of the instant action actually yields a simple case. Records bear out that herein petitioners

merely stepped into the shoes of their late father Gaudencio Coronel who co-owned together with the late father of the respondents and others, the designated community of property adjudicated by their late ancestor and ascendant Bernarda David Lim. When Gaudencio Coronel applied for the Torrens Title of the property, he was merely the designated administrator, and at the same time, one of the co-owners along with those enumerated in the first, second, third, and fourth parts. (pp. 58, 62, Rollo).

In fact, the petitioners' late father lied upon swearing in the aforesaid application that he was the owner in fee simple and sole occupant of the lot involved, the truth of the matter being that all those years, it was the late Querubin Cuevas and family who were occupying the lot. For his misrepresentation the Torrens Title was issued which act should not be tolerated much less rewarded with the awarding of the whole lot instead of being deservingly punished. Nevertheless, the law is still lenient to petitioners as the only "punishment" meted out to them despite the aforementioned fraud of their late ascendant (Gaudencio Coronel) is the reconveyance of 1/12 of the lot in question plus their being ordered to pay damages in the form of P8,000.00 litigation fees, P5,000.00 attorney's fees, and P2,000.00 appearance fees (all duly proven) instead of suffering a forfeiture of any part of the lot they share in common with respondents (Lopez, et al. vs. Gonzaga, et al., 10 SCRA 167 and Caragay-Layno vs. CA, 133 SCRA 718).

Quoting from the respondents' Memorandum dated August 9, 1991 –

"In the case of Cordova et al., vs. Cordova, et al., L-9966, January 14, 1958 this Honorable Court ruled –

'The rule regarding prescription cannot be pleaded between them except when one heir openly and adversely occupies the property for a period sufficiently long to entitle him to ownership under the law. In other words, as long as other heirs acknowledge their ownership or do not set up any adverse title to the property, prescription is unavailable.'

Pursuant to the foregoing, it is necessary that who pleads prescription against co-owners or co-heirs, must be in possession and occupying the property openly and adversely to the exclusion of his co-owner or co-heir. But in the instant case, Gaudencio Coronel and his children who are the herein petitioners are never (sic) in possession of the property in question. As a matter of fact, it is being occupied then by Querubin Cuevas and his family, respondents herein, up to the present time. Thus, in the cases of Santos vs. Heirs of Crisostomo, 41 Phil. 342 and Bargayo vs. Commot 40 Phil. 857 this Honorable Court held –

'The other requirement of prescription in favor of a co-owner is continuous, open, peaceful, public adverse possession for a period of time required under the law.'

x x x x

In this instant case, it is indubitable that Gaudencio Coronel, the late father of the herein petitioners, fraudulently deprived Querubin Cuevas, the late father of the herein respondents, of his lawful share over the land in question when he solely applied for the registration of the whole lot in his name, knowingly fully well that he only owned One Twelve (1/12) share of Lot No. 5697. The fraudulent acts deliberately committed by Gaudencio Coronel directly caused damage to Querubin Cuevas and to his heirs. As such the herein respondents are entitled to recover their share and the damages they suffered." (pp.162-163, Rollo)

Further, no one should enrich himself at the expense of another. All the co-owners who are the legitimate heirs should be given their due share.

Thus, the appealed decision further states:

"It bears repetition that in registering the lot in question exclusively in his name to the exclusion of the other heirs the late Gaudencio Coronel actually committed fraud and misrepresentation with respect to that

remaining portion of 4835 square meters owned by him and the other co-heirs. In the partition and grant the other co-heirs who are entitled to the remaining portion are Bernarda Sunglao, Rosario Sunglao, the plaintiffs heirs of Querubin Cuevas, Jose Cuevas, Patria Cuevas, Cesar Cuevas, Catalina Cuevas, Gaudencio Coronel and Salvador Coronel, Bonifacia David and finally Lucia David, all twelve (12) of them. Each of them owns 1/12 portion of the lot in question." (Decision dated July 18, 1986 of RTC, Br. LIII, Guagua, Pampanga, penned by Judge Abraham Abonas).

WHEREFORE, the decision of the Court of Appeals is hereby AFFIRMED with costs against petitioners.

SO ORDERED.

Melencio-Herrera, (Chairman), Padilla, Regalado and Nocon, JJ., concur.

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.