

NICOLAS G. SINTOS, PETITIONER, VS. HONORABLE COURT OF APPEALS, TEOFILO MAGARIN, AGUIDO EBASCO, GUILLERMO CASINILLO, MANUEL CASINILLO, SERGIO CORPUS, SEVERINO MAGARIN, RUFINA MEN...

G.R. No. 96489. July 14, 1995

Ponente: QUIASON, J.

Read online (full-text search, related cases, audio case brief): <https://batas.org/library/g-r-no-96489/>

QUIASON, J.:

This petition for review on certiorari assails the Decision of the Court of Appeals in CA-G.R. SP No. 20569, affirming the decision of the Regional Trial Court, Branch 5, Butuan City in Civil Case No. 2716, which awarded disturbance compensation to private respondents.

I

Since the early part of 1963 up to middle part of 1983, private respondents had been cultivating, as tenants of petitioner, portions of a parcel of land covered by Tax Declaration No. 26370, with an area of 15.4459 hectares and situated at Villa Kananga, Butuan City. They agreed to pay him one-fourth of their harvest as his share. On March 10, 1971, petitioner amended the sharing arrangement by requiring them to give him ten sacks of 50 kilos per sack, per hectare, per harvest. Thereafter, they had been paying him on the basis of the new sharing scheme.

On May 25, 1976, private respondents and Carmen Sintos, wife of petitioner, entered into a lease contract over the same parcel of land. Said agreement was however not recognized by petitioner, who insisted that the Agreement of March 10, 1971 should be the one enforced.

Subsequently, petitioner's land was identified by the Ministry of Agrarian Reform (MAR) as covered under the Operation Land Transfer. Consequently, private respondents were issued Certificates of Land Transfer pursuant to P.D. No. 27 covering the portions respectively occupied by them.

Petitioner asked for the exclusion of his landholding from the land reform, contending that the portions occupied by private respondents were part of his land development project, the Sintos Subdivision. After investigation, the MAR District Office at Butuan City recommended the cancellation of the Certificates of Land Transfer issued to private respondents and instead recommended the award to them of disturbance compensation.

On November 5, 1982, the MAR affirmed the recommendation of the MAR District Office.

On December 10, 1982, a conference was held at the MAR office between private respondents and petitioner to discuss the amount of disturbance compensation due the former. However, no agreement was reached by the parties.

In the middle part of 1983, private respondents were ejected from their landholdings when petitioner started dumping sand and gravel on the portions cultivated by them. Subsequently, on August 4, 1983, private

respondents filed Civil Case No. 2745 with the Regional Trial Court, Branch 5, Butuan City for payment of disturbance compensation under Section 36 of R.A. No. 3844 (the Agricultural Land Reform Code), as amended.

In his answer to private respondents' complaint, petitioner raised, among other defenses: (1) that the contract between the parties was a civil law lease contract; (2) that the land ceased to be an agricultural land; and (3) that the cause of action had prescribed.

On April 22, 1986, the trial court rendered its decision in favor of private respondents and against petitioner, the dispositive portion of which reads:

"WHEREFORE, judgment is hereby rendered in favor of the plaintiffs and against the defendant, ordering and directing the latter to pay unto the plaintiffs the following:

"1. To pay each plaintiff the number of sacks of palay at forty six (46) kilos per sack and/or its money equivalence, to wit:

Aquido Ebasco 580;
Teofilo Magarin 485;
Sergio Corpus 355;
Fausto Salidaga 347.5;
Guillermo Casinillo 325;
Rufina Mendoza 322.5;
Severino Magarin 247.5;
Manuel Casinillo 210; and
Victoria Orilan 207.5;

plus interest thereon at TWELVE PER CENT (12%) per annum beginning the day when the complaint was filed until the whole amount is fully paid; and

"To pay the costs of the suit" (Rollo, pp. 105-106).

Petitioner appealed to the Court of Appeals, which on November 19, 1990, affirmed the decision of the trial court, disposing as follows:

"WHEREFORE, premises considered and it appearing that the findings of fact in the decision are duly supported by substantial evidence and the conclusions stated therein are not clearly against the law and jurisprudence, the appealed decision is hereby AFFIRMED.

"With costs against appellant" (Rollo, p. 41).

Hence, this petition.

II

Petitioner contends that private respondents have no right to disturbance compensation because they were not his tenants.

Section 166(2) of R.A. No. 3844, as amended, provides:

x x x x x x x x

"(2) 'Agricultural lessee' means a person who, by himself and with the aid available from within his immediate farm household, cultivates the land belonging to, or possessed by, another with the latter's consent for purposes of production, for a price certain in money or in produce or both. It is distinguished from civil law lessee as understood in the Civil Code of the Philippines."

X X X X X X X X

The essential requisites of tenancy relationship are: (1) the parties are the landowner and the tenant; (2) the subject is agricultural land; (3) there is consent; (4) the purpose is agricultural production; (5) there is personal cultivation; and (6) there is sharing of harvests. All these requisites must concur in order to create a tenancy relationship between the parties (*Baranda v. Baguio*, 189 SCRA 194 [1990]).

In the instant case, we find that there existed a landlord and tenant relationship between petitioner and private respondents. Petitioner does not dispute the fact that before the conversion of his rice land into a subdivision in 1971, the said land was occupied and cultivated by private respondents. In addition, petitioner also admitted in his answer with counter-claim that he allowed private respondents to cultivate the land and, in return, received a share of the harvests.

Where persons cultivated the land and did not receive salaries but a share in the produce or the cash equivalent thereof, the relationship created between them and the landowner is one of tenancy and not employment.

The determination that a person is a tenant is a factual finding made by the trial court on the basis of evidence directly available to it and such finding will not be reversed on appeal except for the most compelling reasons (*Macaraeg v. Court of Appeals*, 169 SCRA 259 [1989]).

In agrarian cases, all that is required is mere substantial evidence. Hence, the trial court's findings of fact which attained the minimum of evidentiary support demanded by law, i.e., by substantial evidence, are final and conclusive and cannot be disturbed by the appellate tribunals (*Hernandez v. Intermediate Appellate Court* 189 SCRA 758 [1990]).

Considering that private respondents are tenants of petitioner, the former are therefore entitled to disturbance compensation.

Section 36 of R.A. No. 3844, as amended, provides:

"Possession of Landholding; Exceptions. — Notwithstanding any agreement as to the period or future surrender of the land, an agricultural lessee shall continue in the enjoyment and possession of his landholding except when his dispossession has been authorized by the Court in a judgment that is final and executory if after due hearing it is shown that:

"(1) The agricultural lessor-owner or a member of his immediate family will personally cultivate the landholding or will convert the landholding, if suitably located, into residential, factory, hospital or school site or other useful non-agricultural purposes: Provided, That the agricultural lessee shall be entitled to disturbance compensation equivalent to five years rental on his landholding in addition to his rights under Sections twenty-five and thirty-four, xxx."

Lastly, private respondents' cause of action has not yet prescribed. It will be noted that private respondents were ejected from their landholdings only in the middle part of 1983, when gravel and sand was dumped on the land cultivated by them. It was only then that their cause of action arose. The filing of the complaint on August 4, 1983 for the collection of their disturbance compensation is within the three-year prescriptive period prescribed by Section 38 of R.A. No. 3844, as amended.

WHEREFORE, the petition is DENIED.

SO ORDERED.

Padilla, (Chairman), Davide, Jr., Bellosillo, and Kapunan, 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.