

TEOFILA DE LUNA, PETITIONER, VS. COURT OF APPEALS, CASIANO DE LUNA AND FLAVIANO DE LUNA, RESPONDENTS.

G.R. No. 97788. May 11, 1993

Ponente: FELICIANO, J.

Read online (full-text search, related cases, audio case brief): <https://batas.org/library/g-r-no-97788/>

FELICIANO, J.:

Petitioner Teofila de Luna appeals from the Decision of the Court of Appeals in C.A.-G.R. SP-22167 declaring null and void the proceedings conducted and the decision rendered by the Municipal Circuit Trial Court ("MCTC") in Civil Case No. 245 upon the ground that the MCTC had no jurisdiction over the subject matter of that action.

The relevant factual antecedents of this Petition for Review are undisputed.

Petitioner Teofila de Luna had been in peaceful and continuous possession of four (4) hectares of land located at Barangay Masinao, Sta. Maria, Laguna. Petitioner and her father, Martin de Luna, had worked for many years on this land as agricultural tenants thereof.

After the demise of petitioner's father, she continued to cultivate the subject parcels of land. Petitioner's name appears in the master list of agricultural tenants in the Province of Laguna issued by the Department of Agrarian Reform ("DAR") as a full-fledged tenant of landholder Atty. Francisco Redor.

On 21 May 1986, petitioner filed a suit for ejectment against her two (2) brothers, private respondents Casiano and Flaviano de Luna, who allegedly had turned petitioner out of her possession of the parcels of land through stealth. The complaint for forcible entry was filed with the MCTC of Mabitac, Sta. Maria, Laguna and there docketed as Civil Case No. 245.

The complaint was initially dismissed by the MCTC on 30 September 1986 on the basis that the case fell within the jurisdiction of the Regional Trial Court ("RTC") under Section 2 of Presidential Decree No. 316 in relation to Section 2 of Presidential Decree No. 583. However, after considering an Omnibus Motion of petitioner, the MCTC set aside its earlier order and instead referred the case to the DAR.

After the referral to the DAR and acting upon the certification issued by DAR that the case was proper for trial in the municipal court, the MCTC proceeded to hear the complaint for ejectment. In due course, the MCTC rendered a decision requiring private respondents to vacate the premises and to pay petitioner Teofila de Luna the amount of P5,000.00 as actual damages and P3,000.00 as attorney's fees, plus the costs of the suit.

Private respondents Casiano and Flaviano de Luna went before the RTC on a petition for certiorari and prohibition with prayer for preliminary injunction, seeking annulment of the proceedings conducted and the decision rendered in Civil Case No. 245. Their petition was dismissed by the RTC, however, upon the grounds that (a) the ejectment case was within the jurisdiction of the MCTC; and (b) the special civil action of certiorari was not a substitute remedy for a lost appeal.

Dissatisfied, respondent de Luna brothers appealed to the Court of Appeals and raised the issue of jurisdiction of the MCTC over the dispute.

On 16 January 1991, the Court of Appeals promulgated a decision, now in question, reversing that of the RTC. Applying Section 21 of R.A. No. 1199 in relation to Section 23 of B.P. Blg. 129, the Court of Appeals declared that the controversy was within the exclusive jurisdiction of the RTC as successor of the defunct Court of Agrarian Reform ("CAR").

Petitioner, before this Court, questions the conclusions reached by the Court of Appeals and argues that Section 21 of R.A. No. 1199 is inapplicable to the instant dispute. She asserts that the suit for ejectment, in the light of circumstances here, was within the jurisdiction of the MCTC. Due to the untimely demise of petitioner, however, this Court ordered the substitution of the heirs of deceased Teofila de Luna as the new petitioners. In our resolution dated 12 October 1992, Pedro de Luna, Gliceria Luna-Real and Nieves de Luna were substituted as new petitioners in present petition.

Deliberating upon the allegations adduced and the arguments raised, we find the petition meritorious.

We have heretofore held, in a considerable number of cases,[1] that where no agricultural tenancy relationship exists between the contending parties and the situation is one merely for forcible entry, the RTC, acting as an agrarian court, has no jurisdiction.

In *Arejola vs. Camarines Sur Regional Agricultural School*,[2] the Court had occasion to spell out the underlying rationale of the above ruling. In *Arejola*, the private respondents had filed with the CAR, Naga City, a complaint for "illegal ejectment with prayer for issuance of a preliminary injunction," alleging that private respondent School was the owner or legal possessor of a parcel of land which the other private respondents were tilling as tenants of the School; that predecessor of petitioner *Arejola*, through force and intimidation and without prior knowledge and consent of the other private respondents, fenced the entire area of their holding by means of barbed wire and had prevented them (the tenants) from cultivating the same unless they recognized him (*Arejola*) as legal owner and gave him the landholder's share; and that *Arejola* be ordered to desist from interfering with private respondent tenants' cultivation of the land. *Arejola* in turn asserted that he was lawful possessor of the land involved; that private respondents were occupying the same without any right to do so; and that because there was no tenancy relationship between himself and private respondent tenants, the CAR had no jurisdiction over the controversy, the remedy being an action in the ordinary courts of justice for unlawful entry. The CAR ruled in favor of the tenants and ordered *Arejola* to reinstate them to their respective landholdings. On appeal by certiorari, this Court reversed the CAR holding that that court had no jurisdiction over the subject matter of the case. The Court said:

"Thus, in *Tumbaga vs. Vasquez*, G.R. L-8719, July 17, 1956, we declared that when a mere intruder holds possession of property belonging to another, the ordinary courts do not lose jurisdiction in a forcible entry case even if he should claim (untruthfully) a tenancy relationship with the owner. In other words, where the case is really mere forcible entry, the Court of Agrarian Relations does not have jurisdiction. And in *Pabustan vs. De Guzman*, 109 Phil. 278, we ruled that when there is no tenancy relationship between the contending parties, the Agrarian Court has no jurisdiction.

The reason is not far to seek.

Under Sec. 7 of Republic Act No. 1267 (as amended by Republic Act 1409) creating said Court [of Agrarian Relations], it is given jurisdiction to consider, investigate, decide and settle all questions x x x involving those relationships established by law which determine the varying rights of persons in the cultivation and use of agricultural land where one of the parties works the land.

The Court is thus empowered to act where there is a legal 'relationship' between the parties fighting before it. Such relationship must necessarily be that of agricultural tenancy. And the law governing agricultural tenancy, Republic Act 1199 explains that tenancy relationship is a 'juridical tie' which arises between a landholder and a tenant once they agree expressly or impliedly to undertake jointly the cultivation of land belonging to the former, etc. [Sec. 6] (See also sections 3 and 5, Republic Act 1199).

It must be remembered that the [CAR] was established to enforce all laws and regulations governing the relation of capital and labor on all agricultural lands. Necessarily, the law contemplated a legal relationship between landowner and tenant. This does not exist where one is owner or possessor and the other a squatter or deforciant. x x x."[3] (Underscoring supplied)

This reasoning has guided this Court in the determination of the RTC's jurisdiction over cases arising under other Philippine agrarian statutes: e.g., C.A. No. 461 (giving the Court of Industrial Relations jurisdiction over disputes involving landowner and tenant); R.A. No. 1267 (creating the Court of Agrarian Relations); R.A. No. 3844 (the Agricultural Land Reform Code of 1963); P.D. No. 27 and its implementing rules and regulations; and P.D. No. 946 (reorganizing the Courts of Agrarian Relations, streamlining their procedures and for other purposes).[4]

Considering the facts constituting this case, we do not believe the MCTC exceeded its jurisdiction in acting on the ejectment suit. No juridical tie connects private respondents with petitioner, which compels characterization of the present controversy as an agrarian dispute. Respondents, it is true, claim that they were co-tenants of their father, Martin de Luna, who was apparently the original tenant or lessee with whom landholder Atty. Redor had entered into a contract of agrarian tenancy or landholding. This allegation, however, in their answer, did not divest the MCTC of jurisdiction over the dispute. It is common place doctrine that jurisdiction of a court is determined by the nature of the cause of action and the relief alleged and sought in the complaint, and not by the averments in the answer.[5] The complaint by petitioner in the MCTC did set forth a cause of action for ejectment and damages. That complaint averred that Teofila de Luna was the duly registered tenant of Atty. Redor (who was not a party to the ejectment proceedings) and that her continuous and peaceful possession was disrupted by persons who were not owners of the tenanted property.

The primary issue in an ejectment suit is material possession of the realty only, not possession de jure. Here, the MCTC did not pretend to resolve issues other than the question of physical possession. The trial judge referred to petitioner's registration as agricultural tenant only for the purpose of determining who, as between Teofila and her brothers, was the actual prior possessor of the property. The defense of co-tenancy was considered by the MCTC only insofar as it tended to sustain or detract from petitioner Teofila's claim of prior peaceful and continued possession. The record showed, however, no prima facie basis for that defense as respondents were not among those registered in the DAR master list of agricultural tenants in Laguna. Further, private respondents did not allege that they had been selected by the landowner to succeed Martin de Luna as tenants of the land.[6] Finally, the certification by the DAR that the case was proper or ripe for hearing by the MCTC indicated that there was pending before the DAR no dispute involving an agricultural tenancy relationship (i.e., between landholder and agricultural tenant) to which a dispute between persons who are concededly co-tenants could be consolidated for procedural convenience as an incident to the main case.

Clearly, the dispute between the parties to the instant case involved the situation of forcible entry only. The trial court correctly concluded that private respondents cannot, through force and stealth, terminate petitioner's continuous and peaceful possession, even upon the pretension that they were co-tenants, or entitled to be co-tenants, with Teofila over the land in question. Private respondents were not entitled to take the law into their own hands.

Respondents contend that they may be deemed the "third persons" referred to in Section 21 of R.A. No. 1199,

thereby bringing the dispute within the ambit of authority of the RTC as an agrarian court. This is erroneous.

In the Arejola case discussed above, the same contention was made and in the course of rejecting that contention, this Court had occasion to elaborate on the meaning of "third party" as used in Section 21 of R.A. No. 1199:

"It is true that sec. 21 of Republic Act 1199 says:

'All cases involving the dispossession of a tenant by the landholder or by a third party and/or the settlement and disposition of disputes arising from the relationship of landholder and tenant, as well as the violation of any of the provisions of this Act, shall be under the original and exclusive jurisdiction of such courts as may now or hereafter be authorized by law to take cognizance of tenancy relations and disputes.'

However, we perceive no compelling reason to widen the scope of Sec. 7 of Republic Act 1267 (as amended) creating the Court of Agrarian Relations so as to include any legal dispute wherein one party is agricultural tenant, no matter who his opponent is. Considering the whole Act, the 'third party' mentioned in the said sec. 21 should be construed to mean person who is neither landholder nor tenant, but who acts for, openly, secretly, or factually for the landholder. For instance, a sheriff enforcing an execution sale against the landholder; or a purchaser or transferee of the land, or a mere dummy of the landowner.

No such situation obtains here. The 'tenants' have no legal relationship with Arejola. They do not claim to be his tenants. Indeed, they refused to recognize him as such. They do not aver he was acting for or in connivance with their landlord, the Agricultural School. If the Court acted favorably to the tenants' desire and was consistent, it would have to declare them as 'tenants' of Arejola, -- (which it did not) -- with the right of the latter to get a share of the crops; thereby recognizing the right of Arejola to possession (constructive at least) of the very lot which he had allegedly fenced and entered illegally." [7] (Underscoring partly in the original and partly supplied)

Since private respondents here are neither landholders, tenants, nor other persons acting for or on behalf of the landowner but, in truth and at this stage, mere deforciant, they are not a "third party" within the meaning of Section 21 of R.A. No. 1199 and the dispossession complained of by petitioner does not come within the jurisdiction of the RTC sitting as an agrarian court.

We note that the Court of Appeals relied upon the case of *Tomacruz vs. Court of Agrarian Relations* [8] to support its conclusion that the dispossession of petitioner by respondents comes within the situation contemplated in Section 21 of R.A. No. 1199. Such reliance is misplaced.

In *Tomacruz*, private respondents had filed before the CAR a petition alleging that private respondent Felimon Silva was landholder of a parcel of land, of which the other private respondents were tenants; that petitioner Tomacruz who claimed to be owner of the land, by threats and force took from private respondents ten (10) cavans of the produce of the land; and that there was a large quantity of palay still to be threshed but which private respondents refused to thresh because of petitioner Tomacruz's actions. Private respondents prayed that Tomacruz be enjoined from harassing them and to return the ten (10) cavans of palay taken from them, and that Silva be treated owner of the land in question and that the other private respondents be declared Silva's bonafide tenants. After trial, the CAR held that Silva was landholder of the lot in question, and ordered Tomacruz to desist from molesting and harassing the tenants of Silva, and to deliver to Silva the value of the palay he had taken and received as alleged landholder. In the course of affirming the decision of the CAR, the Supreme Court said:

"In this appeal, the petitioner claims that the lower court erred in making a finding on the ownership of the land because the same is beyond its jurisdiction. He claims that the lower court should have suspended the proceedings pending determination of the question of ownership in the ordinary courts.

We have examined the decision of the trial court and of the other records of the case, and we find the argument

of the petitioner to be without merit. What the lower court did was only to admit evidence of ownership for the purpose of determining who, as between Silva and Tomacruz, is the landholder to whom landholder's share in the produce should be delivered by the tenants.

x x x x x x x x

x x x. Petitioner claims on the strength of the above circumstances, that the court below should have suspended the trial to await the outcome of the case in the Court of First Instance for the review of the decree in the Land Registration Case -- the basis of petitioner's title.

As we have adverted to above, all the arguments are of no avail, in view of the following provision of the Agricultural Tenancy Act:

'All cases involving the dispossession of a tenant by the landholder or by a third party and/or the settlement and disposition of disputes arising from the relationship of landholder and tenant, as well as the violation of any of the provisions of this Act, shall be under the original and exclusive jurisdiction of such courts as may now or hereafter be authorized by law to take cognizance of tenancy relations and disputes. (Sec. 21, R.A. 1199, *Italics supplied*)'

The court below found that petitioner Tomacruz had entered upon the land and appropriated to himself the landholder's share of the harvest for the year 1947-48. This certainly is a dispossession by a third party of his landholding and comes within the express provision of the law."^[9]

Clearly, Tomacruz involved a situation where a person claiming to be landowner had forcibly taken a portion of the produce of the land from persons who were actually cultivating the land. This Court in effect held that the CAR had jurisdiction to determine whether there existed an agricultural tenancy relationship between persons admittedly cultivating the land on the one hand and on the other hand, Tomacruz who had claimed to be landholder. The CAR concluded that there was indeed an agricultural tenancy relationship not with Tomacruz but rather with Silva, who had proved his title over the land by substantial evidence. The Supreme Court ruled that the CAR had jurisdiction to make that determination of landownership, on a provisional basis and for the limited purpose of deciding whether Tomacruz had the legal right to enter upon the land and appropriate to himself the share of the harvest pertaining to the lawful landholder. Note that Tomacruz who had dispossessed the tenants of a portion of the produce of the land was precisely the kind of third party referred in Arejola; for Tomacruz purported to act as landholder claiming to have bought the land from a vendor whose possession had antedated the possession of Silva. Tomacruz is not in conflict with either Arejola or with our decision in the instant case.

It remains only to stress once more that the only issue before the MCTC in Civil Case No. 245 is physical possession of the landholding in question, and that the conclusion we here reach is without prejudice to the right of petitioner heirs of Teofila de Luna and private respondents to bring a proper case before a court of competent jurisdiction, where the landowner is properly impleaded, to determine who is entitled to be or remain agricultural tenant(s) or lessee(s) of the land in question, in view of the passing away of both Martin de Luna and Teofila de Luna.

WHEREFORE, the Petition for Review is GRANTED DUE COURSE, and the Decision of the Court of Appeals in C.A. - G.R. No. SP-22167 dated 16 January 1991 and its Resolution dated 8 March 1991 are hereby SET ASIDE. A new judgment is hereby rendered, REINSTATING and AFFIRMING the Decision of the Municipal Circuit Trial Court of Mabitac, Sta. Maria, Laguna Province in Civil Case No. 245. Costs against private respondents.

SO ORDERED.

Bidin, Davide, Jr., Romero, and Melo, JJ., concur.

[1] E.g., Tumbaga vs. Vasquez 99 Phil 1051 (1956); Manlapaz vs. Pagdanganan 54 OG No. 34, 7890, (1957); Pambustan vs. de Guzman 109 Phil 278 (1960); Arejola vs. Camarines Sur Regional Agricultural School, 110 Phil 517 (1960); Dumlao v. De Guzman, 1 SCRA 14 (1961); Lartimoza v. Blanco, 1 SCRA 231 (1961). See also Salandan vs. Tizon 62 SCRA 388 (1975); Nonan vs. Plan 63 SCRA 261 (1975); Derecho vs. Abiera 34 SCRA 58 (1970); Ferrer vs. Villamor, 60 SCRA 106 (1974).

[2] 110 Phil 517 (1960).

[3] 110 Phil. at 519-520.

[4] See Pabustan v. De Guzman, supra; Manlapaz v. Pagdanganan, supra; Arejola v. Camarines Sur, supra, Almodiel v. Blanco, 5 SCRA 647 (1962); De Chavez v. Zobel, 55 SCRA 26 (1974); Ferrer v. Villamor, 60 SCRA 106 (1974). See also Geronimo v. Court of Appeals, 121 SCRA 859 (1983); Philippine National Railway v. Del Valle, 29 SCRA 573 (1969); Manila Railroad Co. v. Court of Appeals, 30 SCRA 892 (1969); Fleischer v. Pamplona Plantation Co., 88 SCRA 1144 (1969).

Under R.A. No. 6657 (also known as the Comprehensive Agrarian Reform Law), which took effect on 15 June 1988, disputes involving agrarian reform matters are now within the jurisdiction of the Department of Agrarian Reform Adjudication Board. Sec. 50 of RA 6657 reads:

"Quasi-Judicial Powers of the DAR.- The DAR is hereby vested with primary jurisdiction to determine and adjudicate agrarian reform matters and shall have exclusive original jurisdiction over all matters involving the implementation of agrarian reform, except those falling under the exclusive jurisdiction of the Department of Agriculture (DA) and the Department of Environment and Natural Resources (DENR).

x x x x x x x x"

[5] See Alvarez vs. Guanzon 131 SCRA 559 (1984); Concepcion vs. Presiding Judge 119 SCRA 222 (1982).

[6] See also Sec. 9 of RA 3844 which provides:

"Sec. 9. Agricultural Leasehold Relation Not Extinguished by Death or Incapacity of the Parties. – In case of death or permanent incapacity of the agricultural lessee to work his landholding, the leasehold continue between the agricultural lessor and the person who can cultivate the landholding personally, chosen by the agricultural lessor within one month from such death or permanent incapacity, from among the following: (a) the surviving spouse; (b) the eldest direct descendant by consanguinity; or (c) the next eldest descendant in the order of their age: Provided, That in case the death or permanent incapacity of the agricultural lessee occurs during the agricultural year, such choice shall be exercised at the end of the agricultural year: Provided, further, That in the event the agricultural lessor fails to exercise his choice within the periods herein provided, the priority shall be in accordance with the order herein established.

In case of death or permanent incapacity of the agricultural lessor, the leasehold shall bind his legal heirs."

[7] 110 Phil. at 520-521.

[8] 2 SCRA 568 (1961).

[9] Tomacruz v. Court of Agrarian Relations, 2 SCRA at 572-573.

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.