

REPUBLIC OF THE PHILIPPINES, PETITIONER, VS. MANUEL O. GALLEGOS, JR., RESPONDENT.

G.R. Nos. 240892-94. April 12, 2023

Ponente: LEONEN, SAJ.

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LEONEN, SAJ.:

Reconstitution is when a lost or destroyed title is restored in its original form and condition. The titles shall be reconstituted, upon order of the trial court, by the register of deeds where the titles were lost or destroyed. If the register of deeds where the titles were lost or destroyed has ceased, then the register of deeds where the property is located shall reconstitute the title.

This Court resolves a Petition for Review on Certiorari[1] assailing the Decision[2] and Resolution,[3] which affirmed the Decisions[4] of the Regional Trial Court for the Register of Deeds of Malabon/Navotas to reconstitute Transfer Certificates of Title Nos. R-2648, R-2649, and R-2647 in the name of Manuel O. Gallegos, Jr. (Gallegos).

Gallegos alleged that he was the registered owner of three parcels of land in Barangay Potrero, Malabon City, under Transfer Certificates of Title Nos. R-2648, R-2649, and R-2647. He sold the parcels to his children through a Deed of Absolute Sale dated November 20, 2008. He alleged that the Register of Deeds of Malabon refused to register the sale on the ground that the transfer certificates of title did not exist in their records.[5]

On June 13, 2011, Gallegos filed three separate Petitions for the Judicial Reconstitution of the Certificates of Title.[6] He later filed an Amended Petitions on July 18, 2011, attaching the affidavits attesting that no other deed or instruments on these properties have been presented for registration. The Regional Trial Court gave due course to the petitions. It directed the Office of the Register of Deeds of Malabon City, the Land Registration Authority, the Office of the City Prosecutor of Malabon City, and any other person having an interest in the properties to be furnished a copy of the petitions and to be informed of the hearings set.[7]

On November 22, 2013, the Regional Trial Court rendered its Decisions,[8] finding that the fact of the loss of the titles on file with the Register of Deeds was duly established, that the Owner's Duplicates and tax declarations were in Gallegos's possession and duly presented in court, and that there were no other deeds or instruments that would affect the registration of the property.[9] Thus, it ordered the reconstitution of the certificates of title in Gallegos's name.[10] The dispositive portions of the Decisions read:

WHEREFORE, in view of all the foregoing, judgment is hereby rendered declaring the original of TCT No. R-2649 to have been lost. The Register of Deeds of Malabon/Navotas is hereby directed upon payment of the prescribed fees, to reconstitute the original of Transfer Certificate of Title No. R-2649 in the name of Manuel O. Gallegos, Jr. based on the technical description appearing in the original copy of the Owner's Duplicate of TCT No. R-2649; and let encumbrance/s subsisting, if any, be annotated on the reconstituted title. Further, let the fact of reconstitution be noted in the new Certificate of Title.

SO ORDERED.[11]

WHEREFORE, in view of all the foregoing, judgment is hereby rendered declaring the original of TCT No. R-2648 to have been lost. The Register of Deeds of Malabon/Navotas is hereby directed upon payment of the prescribed fees, to reconstitute the original of Transfer Certificate of Title No. R-2648 in the name of Manuel O. Gallego, Jr. based on the technical description appearing in the original copy of the Owner's Duplicate of TCT No. R-2648; and let that the encumbrance/s subsisting, if any, shall be annotated on the reconstituted and provided further, that the fact of reconstitution shall be noted in the new Certificate of Title.

SO ORDERED.[12]

WHEREFORE, in view of all the foregoing, judgment is hereby rendered declaring the original of TCT No. R-2647 to have been lost. The Register of Deeds of Malabon/Navotas is hereby directed upon payment of the prescribed fees, to reconstitute the original of Transfer Certificate of Title No. R-2647 in the name of Manuel O. Gallego, Jr. based on the technical description appearing in the original copy of the Owner's Duplicate of TCT No. R-2647; and let encumbrance/s subsisting, if any, be annotated on the reconstituted title. Further, let the fact of reconstitution be noted in the new Certificate of Title.

SO ORDERED.[13]

On December 20, 2013, the Register of Deeds of Malabon and Navotas filed Manifestations and Motions[14] stating that it could not comply with the November 22, 2013 Decisions as the original copies of the titles were not actually lost from its Register and that it was never in possession of the original copies.[15] It alleged that Transfer Certificate of Title No. 113060 (1023), from which Gallego derived his titles, were issued by the Registry of Deeds of the Province of Rizal and was transmitted by them to the Registry of Deeds of Caloocan City. The Register of Deeds of Caloocan City transmitted Transfer Certificate of Title No. 113060 (1023) to the Register of Deeds of Malabon/Navotas without Transfer Certificates of Title Nos. R-2648, R-2649, and R-2647 and their supporting documents. These titles had been entered at the Registry of Deeds of Caloocan City but were never transmitted to the Register of Deeds of Malabon/Navotas.[16]

On November 7, 2014, the Regional Trial Court issued Orders[17] treating the Manifestation and Motion as a motion for reconsideration. It denied it for lack of merit, stating that "the law does not require that the loss should have been established to have taken place at the Register of Deeds, which is directed to issue a reconstituted title." [18]

On December 17, 2014, the Office of the Solicitor General appealed to the Court of Appeals, arguing that the Register of Deeds of Malabon/Navotas cannot be compelled to reconstitute certificates of title that are not in their records.[19]

On November 21, 2016, the Court of Appeals rendered its Decision[20] denying the appeal and affirming the trial court's November 22, 2013 Decisions. According to the Court of Appeals, the Register of Deeds of Malabon/Navotas expressly stated in its Manifestation and Motion that it had a copy of Transfer Certificate of Title No. 113060 (1023) and that "[t]his create[d] a presumption that the Register of Deeds of Malabon/Navotas is the succeeding entity of the Registry of Deeds of Caloocan City and upon the latter's transmittal of TCT No. 113060 (1023) P-6, copies of TCT Nos. R-2648, R-2649[,] and R-2647, which originated therefrom[,] were also transmitted therewith." [21]

The Court of Appeals found that the requisites Section 15 of Republic Act No. 26 were complied with since the Republic acknowledged that the titles were lost, that Gallego was sufficiently able to show his owner's duplicates and tax declarations over the property, and that technical description stated in the owner's duplicates did not overlap other decreed properties in the area.[22] It emphasized Gallego had nothing to do with the loss of the certificates in a government office and that since it can be presumed that copies of Transfer Certificates of Title

Nos. R-2648, R-2649, and R-2647 were transmitted to the Register of Deeds of Malabon/Navotas, and it can also be presumed that they were lost while in the Register's possession.[23] It likewise held that the presentation of the owner's duplicates deserves great weight, as this was primarily in the hierarchy of sources for the reconstitution of title under Republic Act No. 26, Section 3.[24]

The Republic moved for reconsideration but was denied by the Court of Appeals in a Resolution[25] dated July 24, 2018.

Hence, petitioner filed the present Petition for Review on Certiorari before this Court.[26]

Petitioner submits that the Register of Deeds of Caloocan City exists independently of the Register of Deeds of Malabon/Navotas and that there was no evidence showing Transfer Certificates of Title Nos. R-2648, R-2649, and R-2647 were in the Register of Deeds of Malabon/Navotas records. It argues that Section 110 of Presidential Decree No. 1529 presupposes that a lost or destroyed title is in the concerned Register of Deeds records before it can be reconstituted.[27]

Petitioner points out that the Register of Deeds of Malabon/Navotas was not the succeeding entity of the Registry of Deeds of Caloocan City. Thus the trial court should not have presumed that all titles were transferred to it. It contends that the trial court should not have also presumed that the Register of Deeds of Malabon/Navotas caused the loss of the titles since it had no records of the titles in the first place.[28] It asserts that the Register of Deeds of Malabon/Navotas could not be compelled to reconstitute the titles under Republic Act No. 26 since reconstitution under law presumes that the Register of Deeds ordered to reconstitute the titles have a copy on file that was lost or destroyed.[29]

Respondent counters that Certificate of Title No. 113060 (1023), from which his titles were derived, had a notation stating that it had been detached from the records of the Registry of Deeds of Caloocan City, in view of its transfer to the Register of Deeds of Malabon/Navotas, with a handwritten notation "TCT 2647-53 T-14, pp. 47-53" appearing on its face.[30] He contends that these notations clearly establish the transmittal of the titles to the records of the Register of Deeds of Malabon/Navotas.[31] He points out that Republic Act No. 26 does not provide that the certificate of title to be reconstituted should be lost while in the custody of the Register of Deeds where the land is located; instead, the law requires that the Register of Deeds that should reconstitute the title should be the Register having territorial jurisdiction over the property.[32] He likewise argues that petitioner's interpretation of Republic Act No. 26 paves the way for registries of deeds to unjustifiably refuse to reconstitute titles based on convenience.[33]

In rebuttal, petitioner submits that the Register of Deeds of Malabon/Navotas cannot assume the functions of the Registry of Deeds of Rizal, considering the property was located, at the time, in the Province of Rizal.[34] It asserts that the office authorized to reconstitute the exact copy of the title should be the office that served as the repository of the lost or destroyed instrument. Since the Register of Deeds of Malabon/Navotas was not the repository of the lost titles, it cannot be made to reproduce copies.[35]

From the argument of the parties, the issue to be resolved for this Court's resolution is whether the Register of Deeds of Malabon/Navotas could be compelled to reconstitute lost or destroyed titles despite not having records of the original titles.

We deny the Petition.

To fully resolve this issue, it must first be explained that from June 11, 1901, then Municipality of Malabon had been part of the Province of Rizal.[36] As such, all titled properties within the Province of Rizal were registered with the Registry of Deeds for the Province of Rizal.

With the enactment of Presidential Decree No. 824 on November 7, 1975, then Municipality of Malabon ceased to be part of the Province of Rizal and became part of the newly created Metro Manila^[37] District III,^[38] together with Caloocan, Navotas, and Valenzuela. The Office of the Registry of Deeds for Metro Manila District III had been located in Glovic Building in Caloocan City.^[39]

The Office of the Register of Deeds for Malabon became operational on April 5, 1988.^[40] The Municipality of Malabon became Malabon City in 2001.^[41] At present, there exists a separate Register of Deeds for the Province of Rizal, a separate Register of Deeds for Caloocan City, and a separate Register of Deeds for Malabon/Navotas.

Respondent owned three parcels of land in Malabon, which had then been registered under Transfer Certificate of Title No. 113060 (1023) issued by the Register of Deeds for the Province of Rizal in Pasig, Rizal on July 5, 1963 in his name.^[42] He currently possesses the owner's duplicates for Transfer Certificates of Title No. R-2648, R-2649, and R-2647 covering the same three parcels in Malabon, registered in his name and entered in Caloocan City on November 4, 1976.^[43] It is these three titles respondent sought to have reconstituted.

Under Republic Act No. 26,^[44] reconstitution of a certificate of title "denotes restoration of the instrument which is supposed to have been lost or destroyed in its original form and condition."^[45] Its purpose "is to have, after observing the procedures prescribed by law, the title reproduced in exactly the same way it has been when the loss or destruction occurred."^[46] Reconstituted titles "shall have the same validity and legal effect as the originals."^[47] Under Section 3 of the same Act, transfer certificates of title shall be reconstituted from the following sources:

SECTION 3. Transfer certificates of title shall be reconstituted from such of the sources hereunder enumerated as may be available, in the following order:

- (a) The owner's duplicate of the certificate of title;
- (b) The co-owner's, mortgagee's, or lessee's duplicate of the certificate of title;
- (c) A certified copy of the certificate of title, previously issued by the register of deeds or by a legal custodian thereof;
- (d) The deed of transfer or other document, on file in the registry of deeds, containing the description of the property, or an authenticated copy thereof, showing that its original had been registered, and pursuant to which the lost or destroyed transfer certificate of title was issued;
- (e) A document, on file in the registry of deeds, by which the property, the description of which is given in said document, is mortgaged, leased or encumbered, or an authenticated copy of said document showing that its original had been registered; and
- (f) Any other document which, in the judgment of the court, is sufficient and proper basis for reconstituting the lost or destroyed certificate of title.

A petition for reconstitution is a judicial procedure^[48] that must strictly comply with the jurisdictional requirements of Republic Act No. 26. In the recent *Republic v. Spouses Bercede*,^[49] this Court stated that the law provides for two different procedures of reconstituting a certificate of title:

The Court notes that RA 26 provides for two procedures and sets of requirements in the reconstitution of lost or destroyed certificates of title depending on the source of the petition for reconstitution. Section 10, in relation to Section 9 of RA 26, provides the procedure and requirements for sources falling under Sections 2 (a), 2 (b), 3 (a), and 3 (b) thereof. On the other hand, Sections 12 and 13 of RA 26 lay down the procedure and requirements for sources falling under Sections 2 (c), 2 (d), 2 (e), 2 (f), 3 (c) 3 (d), 3 (e), and 3 (f) thereof.

Thus, before a court can properly act, assume, and acquire jurisdiction over the petition and grant the reconstitution prayed for, the party seeking the reconstitution of a title must observe the aforementioned procedures and requirements.[50] (Citations omitted)

Petitions for reconstitution of title based on the owner's certificate of title, as in this case, shall be filed in the proper trial court "by the registered owner, his assigns, or any person having an interest in the property." [51] The law further provides that:

The petition shall be accompanied with the necessary sources for reconstitution and with an affidavit of the registered owner stating, among other things:

- (1) That no deed or other instrument affecting the property had been presented for registration, or, if there be any, the nature thereof, the date of its presentation, as well as the names of the parties, and whether the registration of such deed or instrument is still pending accomplishment;
- (2) That the owner's duplicate certificate or co-owner's duplicate is in due form without any apparent intentional alterations or erasures;
- (3) That the certificate of title is not the subject of litigation or investigation, administrative or judicial, regarding its genuineness or due execution or issuance;
- (4) That the certificate of title was in full force and effect at the time it was lost or destroyed;
- (5) That the certificate of title is covered by a tax declaration regularly issued by the Assessor's Office; and
- (6) That real estate taxes have been fully paid up to at least two (2) years prior to the filing of the petition for reconstitution.

If the reconstitution is to be made from any of the sources enumerated in Section 2(b) or 3(b), the affidavit should further state that the owner's duplicate has been lost or destroyed and the circumstances under which it was lost or destroyed. Thereupon, the Register of Deeds shall no valid reason to the contrary existing, reconstitute the certificate of title as provided in this Act.[52]

Notice of the petition should be published twice in successive issues, at the expense of the person filing the petition, in the Official Gazette and posted at the main entrance of the provincial building and of the municipal building of the municipality or city where the property is located, at least thirty days prior to the date of hearing. Notice shall also be served to every person named in the petition. At the hearing, the person who filed the petition shall submit proof of publication and service of notice.[53]

The trial court shall issue an order of reconstitution if it finds "that the documents presented, as supported by parole evidence or otherwise, are sufficient and proper to warrant the reconstitution of the lost or destroyed certificate of title, and that the petitioner is the registered owner of the property or has an interest therein, that the said certificate of title was in force at the time it was lost or destroyed, and that the description, area, and boundaries of the property are substantially the same as those contained in the lost or destroyed certificate of title." [54] Otherwise, the petition shall be dismissed.[55]

This Court has repeatedly cautioned trial courts to examine all the evidence diligently to prevent mistaken reconstitutions of titles to persons not qualified to possess the titles:

At this point it is imperative to remind trial courts that granting Petitions for Reconstitution is not a ministerial task. It involves diligent and circumspect evaluation of the authenticity and relevance of all the evidence presented, lest the chilling consequences of mistakenly issuing a reconstituted title when in fact the original is not truly lost or destroyed.[56]

Thus, in order for a petition for reconstitution to prosper, petitioners must prove to the court:

. . . (1) that a certificate of title was lost or destroyed; (2) that the certificate of title sought to be reconstituted is in its original form before it was lost; and (3) that the petition has legal interest over the land covered by the lost or destroyed title.[57]

In this case, respondent presented to the trial court: (1) a certification from the Register of Deeds of Malabon/Navotas that they have no record on file of the original copies of Transfer Certificates of Title Nos. R-2648, R-2649, and R-2647, (2) his original copies of the owner's duplicates of Transfer Certificates of Title No. R-2648, R-2649, and R-2647, (3) tax declarations and real estate tax receipts over the properties, and (4) a declaration under oath that no other deed or instrument was presented for registration over the same properties. Respondent also stated that he was in actual possession of the properties.[58]

Finding the evidence to be sufficient, the trial court ordered the Register of Deeds of Malabon/Navotas to reconstitute Transfer Certificates of Title Nos. R-2648, R-2649, and R-2647.[59] The Register of Deeds of Malabon/Navotas, however, manifested that they could not comply since:

a)

The original of TCT No. R-2648[, R-2649, and R-2647] was not actually lost from its registry;

b)

It was never in possession of the original TCT No. R-2648[, R-2649, and R-2647];

c)

The previous title, TCT No. (113060) 1023, from where TCT No. R-2648 [, R-2649, and R-2647 were] derived from, was issued by the Registry of Deeds for the Province of Rizal;

d)

The previous title, TCT No. (113060) 1023 was then transmitted by the Registry of Deeds for the Province of Rizal to the Registry of Deeds of Caloocan City;

e)

The Registry of Deeds of Caloocan City transmitted the original of TCT No. (113060) 1023 to the Registry of Deeds of Malabon/Navotas, and only such title was transmitted to the Registry of Deeds of Malabon/Navotas, without the alleged TCT No. R-2648[, R-2649, and R-2647] and its supporting documents;

f)

The subject title[s], TCT No. R-2648[, R-2649, and R-2647 were] entered at the Registry of Deeds of Caloocan City and the same was never transmitted to the Registry of Deeds of Malabon/Navotas.[60]

It is undisputed that Transfer Certificate Title No. 113060 (1023) in the name of Manuel O. Gallego, Jr. exists and was transferred by the Register of Deeds of Caloocan City to the Register of Deeds of Malabon/Navotas. This is clear from the annotation:

NOTE: This certificate of title was detached from the records of the Registry of Deeds of Caloocan City in view of the transfer of the records to the Office of the Registry of Deeds of Malabon.[61]

The Register of Deeds of Malabon/Navotas, and petitioner, assert that they cannot reconstitute Transfer Certificates of Title Nos. R-2648, R-2649, and R-2647 because the Registry of Deeds of Caloocan City never transmitted the original copies. Thus, the Register of Deeds of Malabon/Navotas was not the registry where the

titles were allegedly lost.

It is interesting to note that Republic Act No. 26 is silent on whether the title should be reconstituted by the register of deeds where the original was lost or destroyed. Section 16 of the same Act, however, states:

SECTION 16. After the reconstitution of a certificate of title under the provisions of this Act, the register of deeds shall issue the corresponding owner's duplicate and the additional copies of said certificates of title, if any had been previously issued, where such owner's duplicate and/or additional copies have been destroyed or lost. This fact shall be noted on the reconstituted certificate of title.

Statutory construction instructs that laws are to be interpreted as a whole, that its clauses must not be segregated, but rather "every part of a statute is to be construed with reference to every other part and every word and phrase in connection with its context, and that construction sought which gives effect to the whole of the statute." [62] Considering that the owner's duplicates and additional copies are to be issued by the register of deeds where the owner's duplicates or additional copies were destroyed or lost, it stands to reason that destroyed or lost titles are to be reconstituted by the register of deeds where the titles were destroyed or lost.

In this case, it appears that the Registry of Deeds of Metro Manila District III was the register of deeds where Transfer Certificates of Title Nos. R-2648, R-2649, and R-2647 were lost since these titles were "[e]ntered at Caloocan City, Philippines, on the 4[th] day of November, in the year nineteen hundred and seventy-six, at 9:18 a.m." [63] The Register of Deeds of Malabon/Navotas also noted in its January 6, 2015 letter that "there appears a handwriting in blue ink about TCT No. 2647-53, T-14 page 47-53" [64] on the face of Transfer Certificate of Title No. 113360 (1023). As such, the Registry of Deeds of Metro Manila District III should be ordered to reconstitute the lost titles.

Considering, however, that the Office of the Registry of Deeds for Metro Manila District III in Glovic Building, Caloocan City, has ceased to exist, it would be futile for this Court to order the current Register of Deeds of Caloocan City to reconstitute Transfer Certificates of Title Nos. R-2648, R-2649, and R-2647. The Register of Deeds of Caloocan City is now a separate and distinct entity from the Registry of Deeds for Metro Manila District III. It would not be able to reconstitute property titles not within its territorial jurisdiction.

This leaves no recourse to respondent, who, through no fault of his own, shall now have to deal with the consequences of mismanaged records keeping.

A conservative solution would be to direct the Land Registration Authority to locate these titles and, when found, to transfer them to the Register of Deeds of Malabon/Navotas. The Land Registration Commission, the predecessor of the Land Registration Authority, [65] is mandated to be "the central repository of records relative to original registration of lands titled under the Torrens system." [66] As the central repository of records, it is presumed to have the records of Transfer Certificates of Title Nos. R-2648, R-2649, and R-2647. In this instance, the reconstitution of titles would be unnecessary since the titles would not be considered lost or destroyed.

However, it is also possible that even the Land Registration Authority would no longer be able to locate these titles. The Land Registration Authority is likewise not made a party to this case. If this situation arises, respondent would again, through no fault of his own, be left without any recourse.

It is undisputed that respondent is in possession of the properties, paying property taxes, and has the original copies of the owner's duplicates of Transfer Certificates of Title Nos. R-2648, R-2649, and R-2647. The trial court found no other conflicting claims on these properties. At this point, the only equitable solution is the reconstitution of Transfer Certificates of Title Nos. R-2648, R-2649, and R-2647.

It should be noted that the Republic does not challenge the authenticity of respondent's owner's duplicates of

Transfer Certificates of Title Nos. R-2648, R-2649, and R-2647. It merely argues that the Register of Deeds of Malabon/Navotas has no record of the original copies of these titles. Thus, the Register of Deeds of Malabon/Navotas would still be the entity tasked with its reconstitution, regardless of whether the original copies of the titles are in their records. The properties are located in Malabon City. Therefore, the Register of Deeds of Malabon/Navotas would be in the best position to ascertain the correctness of the technical description of the properties. The reconstituted titles would be based on respondent's owner's duplicates of Transfer Certificates of Title Nos. R-2648, R-2649, and R-2647, under Section 3 of Republic Act No. 26.

FOR THESE REASONS, the Petition for Review on Certiorari is DENIED. The November 21, 2016 Decision and July 24, 2018 Resolution of the Court of Appeals in CA-G.R. CV Nos. 104103, 104108, and 104133 and the November 22, 2013 Decisions of the Regional Trial Court of Malabon City in LRC Case Nos. 11-024-MN, 11-023-MN, and 11-025-MN are AFFIRMED.

The Register of Deeds of Malabon/Navotas is DIRECTED, upon respondent Manuel O. Gallego, Jr.'s payment of the prescribed fees, to RECONSTITUTE the originals of Transfer Certificates of Title Nos. R-2648, R-2649, and R-2647 in the name of respondent Manuel O. Gallego, Jr., based on the technical description appearing in the original copies of the Owner's Duplicates of Transfer Certificates of Title Nos. R-2648, R-2649, and R-2647. Encumbrance/s subsisting, if any, and the fact of reconstitution should be annotated on the reconstituted title.

This Court also resolves to NOTE and GRANT the notice of change of firm name, address, and other contact details dated March 10, 2023 of counsel for respondent, requesting that copies of all Court processes in this case be sent to Evangelista & Mariano Law Firm, at Unit 1018, 10th Floor, AIC-Burgundy Empire Tower, ADB Avenue corner Sapphire and Garnet Roads, Ortigas Center, 1605 Pasig City, with e-mail address at emlawoffices22@gmail.com and contact numbers +639362178009 and 8363-8942, and to NOTE counsel's motion for resolution (with leave of Court).

SO ORDERED.

Lazaro-Javier, M. Lopez, J. Lopez, and Kho, Jr., JJ., concur.

[1] Rollo, pp. 11-35.

[2] Id. at 36-51. The November 21, 2016 Decision in CA-G.R. CV Nos. 104103, 104108 and 104133 was penned by Associate Justice Marie Christine Azcarraga-Jacob and concurred in by Associate Justices Ricardo R. Rosario (now a member of this Court) and Edwin D. Sorongon of the Sixteenth Division, Court of Appeals, Manila.

[3] Id. at 53-55. The July 24, 2018 Resolution in CA-G.R. CV Nos. 104103, 104108 and 104133 was penned by Associate Justice Marie Christine Azcarraga-Jacob and concurred in by Associate Justices Ricardo R. Rosario (now a member of this Court) and Edwin D. Sorongon of the Former Sixteenth Division, Court of Appeals, Manila.

[4] Id. at 72-82. The November 22, 2013 Decisions in LRC Case No. 11-023-MN, LRC Case No. 11-024-MN and LRC Case No. 11-025-MN were penned by Judge Celso R.L. Magsino, Jr., Branch 74, Regional Trial Court, Malabon City.

[5] Id. at 38.

[6] Id.

[7] Id. at 39.

[8] Id. at 72-82.

[9] Id. at 73-74, 78-79, 81-82.

[10] Id. at 75, 79, 82.

[11] Id. at 75.

[12] Id. at 79.

[13] Id. at 82.

[14] Id. at 59-67.

[15] Id. at 59, 62, 65.

[16] Id. at 59-60, 62-63, 65-66.

[17] Id. at 83-85.

[18] Id.

[19] Id. at 41-42.

[20] Id. at 36-51.

[21] Id. at 43.

[22] Id. at 44-47.

[23] Id. at 47-48.

[24] Id. at 49-50.

[25] Id. at 53-55.

[26] Id. at 11-35.

[27] Id. at 18-19.

[28] Id. at 20-22.

[29] Id. at 23-24.

[30] Id. at 150.

[31] Id.

[32] Id. at 151-152.

[33] Id. at 154.

[34] Id. at 52-53.

[35] Id. at 54.

[36] Act No. 137 (June 11, 1901), An Act Extending the Provisions of the Provincial Government Act to the Province of Rizal.

[37] Presidential Decree No. 824 (1975), sec. 2.

- [38] Philippine Statistics Authority profile available at <<https://psa.gov.ph/content/city-malabon-ncr-third--district>> (last accessed on June 7, 2023).
- [39] Register of Deeds of Malabon v. Regional Trial Court of Malabon, 260 Phil. 839 (1990) [Per J. Griño-Aquino, First Division].
- [40] Register of Deeds of Malabon v. Regional Trial Court of Malabon, 260 Phil. 839 (1990) [Per J. Griño-Aquino, First Division].
- [41] Republic Act No. 9019 (2001).
- [42] Rollo, pp. 68-69.
- [43] Id. at 56-58.
- [44] An Act Providing a Special Procedure for the Reconstitution of Torrens Certificates of Title Lost or Destroyed.
- [45] Anciano v. Caballes, 93 Phil. 875, 876 (1953) [Per J. Tuason, En Banc].
- [46] Republic v. Court of Appeals, 368 Phil. 412, 420-421 (1999) [Per J. Vitug, Third Division].
- [47] Republic Act No. 26 (1946), sec.7.
- [48] Presidential Decree No. 1529 (1978), Sec. 110.
- [49] G.R. No. 214223, January 10, 2023 [Per J. Kho, En Banc].
- [50] Id.
- [51] Republic Act No. 26 (1946), sec. 5. See also Presidential Decree No. 1529 (1978), sec. 110.
- [52] Republic Act No. 26 (1946), sec. 5, as amended by Republic Act No. 6732 (1989), sec. 2.
- [53] Republic Act No. 26 (1946), sec. 9, in relation to sec. 10.
- [54] Republic Act No. 26 (1946), sec. 15.
- [55] Republic Act No. 26 (1946), sec. 15.
- [56] Republic v. Pasicolan, 758 Phil. 121, 141 (2015) [Per J. Del Castillo, Second Division].
- [57] Dela Paz v. Republic, 820 Phil. 907, 921 (2017) [Per J. Martires, Third Division].
- [58] Rollo, pp. 73, 78, 81.
- [59] Id. at 72-82.
- [60] Id. at 59-67.
- [61] Id. at 68.
- [62] Tamayo v. Gsell, 35 Phil. 953, 980 (1916) [Per J. Trent, Second Division].
- [63] Rollo, pp. 56-58.
- [64] Id. at 70.
- [65] ADMIN. CODE (1987), Book IV, Title III, Chapter 9, sec. 28.

[66] Presidential Decree No. 1529 (1978), sec. (2)(c).

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