

HEIRS OF EULALIO RAGUA, NAMELY, DOMINGO, MARCIANA, MIGUEL, FRANCISCO, VALERIANA, JUANA, AND REMEDIOS, ALL SURNAMED RAGUA; DANILO AND CARLOS, BOTH SURNAMED LARA, PETITIONERS, VS....*G.R. Nos. 88521-22. January 31, 2000*

Ponente: PARDO, J.

Read online (full-text search, related cases, audio case brief): <https://batas.org/library/g-r-nos-88521-22/>**PARDO, J.:**

These consolidated cases involve a prime lot consisting of 4,399,322 square meters, known as the Diliman Estate, situated in Quezon City. On this 439 hectares of prime land now stand the following: the Quezon City Hall, Philippine Science High School, Quezon Memorial Circle, Visayas Avenue, Ninoy Aquino Parks and Wildlife, portions of UP Village and East Triangle, the entire Project 6 and Vasha Village, Veterans Memorial Hospital and golf course, Department of Agriculture, Department of Environment and Natural Resources, Sugar Regulatory Administration, Philippine Tobacco Administration, Land Registration Authority, Philcoa Building, Bureau of Telecommunications, Agricultural Training Institute building, Pagasa Village, San Francisco School, Quezon City Hospital, portions of Project 7, Mindanao Avenue subdivision, part of Bago Bantay resettlement project, SM City North EDSA, part of Phil-Am Life Homes compound and four-fifths of North Triangle.[1] This large estate was the subject of a petition for judicial reconstitution originally filed by Eulalio Ragua in 1964, which gave rise to protracted legal battles between the affected parties, lasting more than thirty-five (35) years.

Re : G. R. Nos. 88521-22

These cases are now before the Court for review via certiorari of the decision of the Court of Appeals[2] that reversed and set aside the decision[3] of the Court of First Instance of Rizal, Quezon City, Branch 18, ordering the Register of Deeds, Quezon City to reconstitute Original Certificate of Title No. 632 in the name of Eulalio Ragua. Court

On August 31, 1964, Eulalio Ragua, claiming to be the registered owner, together with co-owners Anatalio B. Acuña, Catalina Dalawantan, and other co-owners, filed with the Court of First Instance of Rizal, Caloocan City[4] a petition for reconstitution of Original Certificate of Title (OCT) No. 632 of the Registry of Deeds of Rizal, covering a parcel of land with an area of 4,399,322 square meters, as evidenced by plan bearing No. II-4816, known as the Diliman Estate, situated in the municipality of Caloocan, province of Rizal. Attached to the petition was a photostatic copy of OCT No. 632 and a photostatic copy of the plan of the property as surveyed for Eulalio Ragua. OCT No. 632 covered a large parcel of land bounded on the North by the Culiati Creek, a ditch, the Piedad Estate; on the East by the property of Gregorio Tiburcio and Mahabang Gubat; on the South by the property of Miguel Estanislao; on the West by the property of Segundo Limoco, the Mariabelo Creek; and on the South by the San Francisco del Monte Estate.

On September 9, 1964, J. M. Tuason & Co., Inc. (Tuason) filed with the Court of First Instance of Rizal, Caloocan City an opposition to the petition alleging that OCT No. 632 was fictitious and the land was covered by

TCT No. 1356 in the name of People's Homesite and Housing Corporation (PHHC). TCT No. 1356 originated from OCT No. 735 of the Registry of Deeds of Rizal, registered in the name of Tuason's predecessor-in-interest. Furthermore, the validity of OCT No. 735 had been declared as beyond judicial review in the case of *Maximo L. Galvez vs. Mariano Severo Tuason*, 119 Phil. 612, promulgated on February 29, 1964.

On September 10, 1964, the People Homesite and Housing Corporation (PHHC), later succeeded by the National Housing Authority (NHA), filed with the same trial court its opposition to Ragua's petition for reconstitution of OCT No. 632. PHHC averred that Ragua's petition did not comply with the requirements of the law on judicial reconstitution. PHHC likewise contended that OCT No. 632 in the name of Eulalio Ragua was fictitious, and that the property was covered by TCT No. 1356 in the name of PHHC. PHHC maintained that TCT No. 1356 was originally covered by OCT No. 735, the validity of which had been declared by the Supreme Court as beyond judicial review in the afore-cited case of *Maximo L. Galvez vs. Mariano Severo Tuason*, supra.

Also on September 10, 1964, petitioner Eulalio Ragua filed with the Court of First Instance of Rizal, Branch VI, Pasig, Rizal another petition for reconstitution of OCT No. 632, G. L. R. O. No. 7984. Ragua alleged that he was the owner of a parcel of land situated in Diliman, Quezon City, with an area of four million three hundred ninety nine thousand three hundred twenty two (4,399,322) square meters, particularly bounded and described as indicated on Plan II-4816 and that the owner's duplicate of OCT No. 632 had been lost and destroyed many years ago when his personal effects and papers were eaten by termites.

On September 23, 1964, the Court of First Instance of Rizal at Pasig, issued an order directing the transfer of the record of G. L. R. O. No. 7984 to the Court of First Instance of Rizal, Caloocan City as the land involved was situated in Caloocan City.

On September 28, 1964, Eulalio Ragua filed with the Court of First Instance of Rizal, Caloocan City a manifestation for the consolidation of G. L. R. O. Record No. 7984 with Civil Case No. C-119. On November 24, 1964, the Court of First Instance of Rizal, Caloocan City granted the manifestation and consolidated the two cases.

On January 29, 1965, during the pendency of the petition, Sulpicio Alix applied for, and on the same date, obtained from the Register of Deeds of Quezon City, an administrative reconstitution of OCT No. 632.

On February 10, 1965, Tuason filed with the Court of First Instance of Quezon City, Branch 18 a complaint for annulment of OCT No. 632[5] and subsequent transfer certificates of titles (TCTs) originating therefrom, against the Register of Deeds of Quezon City, Eulalio Ragua, J. Sulpicio R. Alix, Ramon S. Mendoza, Leocadio D. Santiago, and others. Tuason alleged that he was the successor-in-interest of the parcels of land in Quezon City originally covered by OCT 735 issued on July 8, 1914 in G.L.R.O. Case No. 7681, as evidenced by TCT No. 32001 and TCT Nos. 37676 to 37686 of the Register of Deeds of Quezon City. Tuason averred that on January 29, 1965, Ragua and/or Alix knowingly caused to be reconstituted administratively in the Register of Deeds of Quezon City, a fake OCT No. 632 covering 4,399,322 square meters of land situated in Diliman, Quezon City. Tuason maintained that OCT No. 632 in the name of Ragua was a fake title since the records of the Registry of Deeds of Pasig, Rizal showed that OCT No. 632 was issued in the name of Dominga J. Oripiano, for a parcel of land covering 97 hectares situated in Taytay, Rizal.

On February 15, 1965, Eulalio Ragua filed with the Court of First Instance of Rizal, Quezon City a "Motion to Confirm the Administrative Reconstitution of Original Certificate of Title No. 632" alleging that on January 29, 1965, Sulpicio Alix filed the owner's duplicate copy of OCT No. 632 with the Register of Deeds of Quezon City for the administrative reconstitution of said title. Alix secured the owner's duplicate copy of OCT No. 632 by virtue of a deed of sale executed in his favor by Eulalio Ragua. As a result, the Register of Deeds issued OCT No.

88081 in the name of Eulalio Ragua. Subsequently, Alix succeeded in having OCT No. 88081 cancelled and replaced with TCT No. 88082 in his name, which, in turn, was replaced by 31 Transfer Certificates of Title on the strength of deeds of absolute sale executed by Alix in favor of third parties.

On February 17, 1965, Tuason filed with the Court of First Instance of Rizal, Quezon City an opposition to the motion of petitioners for the confirmation of the administrative reconstitution of OCT No. 632. Tuason alleged that OCT No. 632 issued to Eulalio Ragua was a fake title, reconstituted administratively by certain persons using surreptitious means, without any notice to all parties concerned and without following the procedure prescribed by law governing the administrative reconstitution of lost titles. Tuason further stated that the court had no jurisdiction to confirm the administratively reconstituted OCT No. 632 inasmuch as under RA 26, administrative reconstitution of titles and judicial reconstitution are two different matters.

On February 24, 1965, the Republic of the Philippines[6] filed with the Court of First Instance of Rizal, Caloocan City its opposition to the petition alleging that it was the owner of the land including the buildings and improvements thereon, now known as the Veterans Memorial Hospital (VMH), acquired from the PHHC. The VMH site was part of the land acquired by PHHC from Tuason under TCT No. 1356, originally covered by Tuason's OCT No. 735, the validity of which was judicially recognized by the Supreme Court.[7] The Republic adopted the opposition of the PHHC and Tuason. It further contended that it was a transferee in good faith, thereby barring any pretended right of petitioners to the portion owned and possessed by it.

In sum, the petition for reconstitution filed by Eulalio Ragua was opposed by several parties, to wit: the Tuasons, the National Housing Authority (formerly PHHC), Department of National Defense, Department of Agriculture and Natural Resources, Parks and Wildlife, Philippine American Life Insurance Company, et. al., among other parties, which claimed to have purchased portions of the Diliman Estate from the Tuasons.

On April 18, 1968, Eulalio Ragua died, and on April 29, 1968, was substituted by his heirs Domingo, Marciana, Miguel, Juana, Francisco, Valeriana, and Remedios, all surnamed Ragua, and Carlito Ragua Lara, as petitioners.

On January 10, 1972, petitioners and oppositors filed with the Court of First Instance of Rizal, Quezon City a joint motion to transfer the proceedings in Case No. C-119 /G.L.R.O. Rec. No. 7984 to Branch 18, Court of First Instance of Rizal, Quezon City for consolidation with Civil Case No. Q-8559,[8] which consolidation was effected.

After due hearing, on March 24, 1980, the Court of First Instance of Rizal, Quezon City rendered decision[9] the dispositive portion of which reads as follows:

"WHEREFORE, premises considered, the Court renders judgment –

"1. In Case No. 119, the Quezon City Register of Deeds is ordered to reconstitute in the name of Eulalio Ragua Original Certificate of Title No. 632, with the Technical Description appearing in Plan II-4816 and Annexes A & B of the Petition, upon payment of all lawful fees;

"2. In Case Q-8559, declaring null and void, and cancelling the administratively reconstituted OCT 632 (88081) and Transfer Certificates of Title derived therefrom, including – TCT 88082, 88083, 88084, 88087, 88088, 88089, 88091, 88092, 88093, 88094, 88095, 88096, 88097, 88098, 88030, 88656, 88657, 88658, 88659, 88671, 88677, 88674, 88675, 88689, and all any transfer certificates of title derived therefrom.

"The claims in interventions in Case No. 119 of parties who upheld the validity of the Ragua title, as well as any claims in Case 8559 against Sulpicio Alix may be prosecuted in separate proceedings.

"No pronouncement as to costs.

"SO ORDERED.

"Quezon City, Philippines, March 24, 1980.

"(SGD) ERNANI CRUZ PAÑO

"ERNANI CRUZ PAÑO

"District Judge"[10]

In due time, oppositors, including the Republic, filed with the trial court a motion for reconsideration of the decision. On August 29, 1980, the trial court denied the motion.

The Republic appealed the trial court's decision to the Court of Appeals.[11] Private oppositors and the National Housing Authority filed separate appeals to the Court of Appeals.

After due proceedings on appeal, on May 30, 1989, the Court of Appeals promulgated its decision, the dispositive portion of which reads:

"WHEREFORE, the judgment appealed from is reversed insofar as it orders the reconstitution of OCT 632 in the name of Eulalio Ragua.

"Without pronouncement as to costs.

"SO ORDERED." [12]

The Court of Appeals held that the trial court had no jurisdiction over the petition for reconstitution for failure to comply with the jurisdictional requirements of publication and posting of notices provided under Republic Act No. 26, Sections 12 and 13. The Court of Appeals ruled that assuming arguendo that the trial court had jurisdiction over the petition, the evidence presented in court to support the application was dubious in character and insufficient to justify the reconstitution.

The Court of Appeals held furthermore that the land in question was embraced in OCT No. 735, issued in the name of Tuason, the validity of which was upheld by the Supreme Court in several cases.[13] The trial court could not proceed with the reconstitution proceedings without Tuason's title and those originating therefrom being annulled first.[14] The Court of Appeals also ruled that petitioners were guilty of laches since it took them nineteen (19) years from the end of World War II in 1945, wherein OCT 632 was lost, to file the petition for reconstitution.

On July 22, 1989, petitioners filed this petition for review on certiorari assailing the Court of Appeals' decision.[15]

Re: G. R. Nos. 89366-67

Petitioners Elisa G. Dufourt and Marino T. Regalado were owners of 45 and 55 hectares, respectively, of the same parcel of land known as the Diliman Estate, which was subject of the petition for judicial reconstitution of OCT No. 632, filed by Eulalio Ragua with the Court of First Instance of Rizal, Caloocan City, later transferred to Court of First Instance of Rizal, Quezon City. Sometime in 1972, petitioners acquired the property by virtue of deeds of assignment executed by Eulalio Ragua in their favor. Petitioners' rights and interests over the above property have been confirmed by the Court of Appeals in CA-G. R. CV No. 20701, promulgated on May 4, 1989.

As heretofore stated, on March 24, 1980, the Court of First Instance of Rizal, Quezon City rendered decision in favor of Ragua, ordering the Register of Deeds, Quezon City, to reconstitute OCT 632 in the name of Ragua.

On October 28, 1980, petitioners filed with the Court of First Instance, Quezon City a motion for execution of the

judgment rendered by it, contending that the judgment had become final after the Register of Deeds and Land Registration Commission failed to file an appeal within the prescribed period. On January 5, 1981, the trial court denied the motion for execution and approved the record on appeal filed by the Republic of the Philippines.

On March 7, 1983, petitioners filed with the Court of Appeals, a motion to dismiss the appeal, which the court denied.

As aforesaid, on May 30, 1989, the Court of Appeals rendered its decision.

On August 14, 1989, petitioners filed with this Court, a petition for certiorari and mandamus, with prohibition and temporary restraining order^[16] seeking the execution of the trial court's order authorizing reconstitution of OCT No. 632.

On August 21, 1989, we consolidated G. R. Nos. 89366-67 with G. R. Nos. 88521-22.^[17]

On March 26, 1990, we required respondents in G. R. Nos. 88521-22 to comment on the petition.^[18] On June 28, 1990, the Solicitor General filed his comment.^[19]

On November 23, 1992, we required respondents in G. R. Nos. 89366-67 to comment on the petition.^[20] On September 27, 1993, the Solicitor General filed his comment.^[21]

In the course of this controversy, portions of the contested property had been the subject of sales to different persons, some of whom moved to intervene in the cases, or to substitute the parties therein, which further complicated the cases.

On October 7, 1997, the surviving heirs of Eulalio Ragua, assisted by judicial administratrix Norma G. Aquino, filed with this Court a manifestation offering to execute deeds of donations in favor of the government and its instrumentalities, of all portions of the real property actually occupied by offices performing governmental functions, including roads and parking areas.^[22]

We give due course to the petitions and decide them jointly.

These cases present two (2) basic issues, namely, (1) whether the trial court acquired jurisdiction over the proceedings for reconstitution of title due to non-compliance with the jurisdictional requirements prescribed for reconstitution of titles, and (2) whether the evidence of the sources of the title to be reconstituted was sufficient basis therefor.

With respect to the first issue, R. A. No. 26, Sections 12 and 13, provide for jurisdictional requirements of petitions for reconstitution of titles filed on the basis of documents other than the owners' or co-owners' duplicate certificates of title. The provisions are quoted hereunder:

"SEC. 12. Petitions for reconstitution from sources enumerated in sections 2(c), 2(d), 2(e), 2(f), 3(c), 3(d), 3(e), and/or 3(f) of this Act, shall be filed with the proper Court of First Instance, by the registered owner, his assigns, or any person having an interest in the property. The petition shall state or contain, among other things, the following: (a) that the owner's duplicate of the certificate of title had been lost or destroyed; (b) that no co-owner's mortgagee's or lessee's duplicate had been issued, or if any had been issued, the same had been lost or destroyed; (c) the location, area and boundaries of the property; (d) the nature and description of the buildings or improvements, if any which do not belong to the owner of the land, and the names and addresses of the owners of such building or improvements; (e) the name and addresses of the occupants or persons in possession of the property, of the owners of the adjoining properties and of all persons who may have any interest in the property; (f) a detailed description of the encumbrances, if any, affecting the property; and (g) a statement that no deeds or other instruments affecting the property have been presented for registration, or if there be any, the registration thereof has not been accomplished, as yet. All the documents, or

authenticated copies thereof, to be introduced in evidence in support of the petition for reconstitution shall be attached thereto and filed with the same: Provided, That in case the reconstitution is to be made exclusively from sources enumerated in Section 2(f) or 3(f) of this Act, the petition shall be further accompanied with a plan and technical description of the property duly approved by the Chief of the General Land Registration Office, or with a certified copy of the description taken from a prior certificate of title covering the same property.

"SEC. 13. The court shall cause a notice of the petition filed under the preceding section, to be published, at the expense of the petitioner, twice in successive issues of the Official Gazette, and to be posted on the main entrance of the municipality or city in which the land is situated, at the provincial building and of the municipal building at least thirty days prior to the date of hearing. The Court shall likewise cause a copy of the notice to be sent, by registered mail or otherwise, at the expense of the petitioner, to every person named therein whose address is among other things, the number of the lost or destroyed certificate of title if known, the name of the registered owner, the names of the occupants or persons in possession of the property, the owners of the adjoining properties and all other interested parties, the location, area and boundaries of the property, and the date on which all persons having any interest therein must appear and file their claim or objections to the petition. The petition shall, at the hearing, submit proof of the publication, posting and service of the notice as directed by the court."

Petitioners admittedly did not comply with the requirements of Section 12 (d), (e) and (g), namely, the petition did not state (1) the nature and description of the buildings or improvements, if any, which do not belong to the owner of the land, and the names and addresses of the owners of such buildings or improvements, (2) the names and addresses of the occupants of the adjoining property and of all persons who may have any interest in the property and (3) that no deeds or other instrument affecting the property have been presented for registration. Neither do these data appear in the notice of hearing. Besides, petitioners also did not comply with the notice and publication requirement under Section 13 because the order directed that the notice be posted at the Caloocan City Hall, not in Quezon City, where the land is situated.

We have ruled that the failure to comply with the requirements of publication and posting of notices prescribed in Republic Act No. 26, Sections 12 and 13 is fatal to the jurisdiction of the court.[23] Hence, non-compliance with the jurisdictional requirements renders its decision approving the reconstitution of OCT No. 632 and all proceedings therein utterly null and void.[24]

The next issue to resolve is whether the documents of the sources of the title to be reconstituted sufficed for reconstitution of Original Certificate of Title No. 632 in the name of Eulalio Ragua, in the absence of genuine copies of the owner's duplicate of the certificate of title or certified copy thereof.

The trial court allowed reconstitution of OCT 632 on the basis of sources as follows:

- Plan II-4816, as certified by the Bureau of Lands;
- Tracing Cloth Plan, certified by the Bureau of Lands;
- Microfilm of Plan II-4816;
- The application of Eulalio Ragua as certified to by Commissioner Noblejas on July 14, 1964;
- Photographic copy of the Original Certificate of Title No. 632;
- Decree No. 6970 certified to by the Land Registration Commission;
- Technical Description of the Ragua Property duly certified to by both the Bureau of Lands and Land Registration Commission;

- Tax Declaration No. 8501 dated December 25, 1925 and made operative as of 1917.

The Court of Appeals held that the documents submitted were dubious in character and could not be proper sources of reconstitution of OCT No. 632. This is a factual finding that we cannot review in this review on certiorari.[25]

First: Regarding Plan II-4816 and microfilm of Plan II-4816, the Court of Appeals found that there were conflicting reports regarding their authenticity as there was showing of splicing of the microfilm, which tainted its genuineness. Consequently, Plan II-4816 can not be considered as genuine evidence for reconstitution.

Second: the application for registration of title of Eulalio Ragua, duly certified by Commissioner Noblejas did not indicate that the application was approved. Hence, it can not constitute proof of the title supposedly issued subsequently. Neither was there proof that such application was published in the Official Gazette as required by law.

Third: the photographic copy of OCT No. 632 was not authenticated by the Register of Deeds.

Fourth: the copy of Decree No. 6970, can not be considered as competent evidence because only the upper and lower parts of the document remain. The document does not show to whom the decree was issued or the technical description of the property covered.

Fifth: the tax declarations covering the property do not prove ownership over the land.[26]

Consequently, we agree with the Court of Appeals that none of the source documents presented was reliable. We are convinced that the factual findings of the Court of Appeals are supported by sufficient evidence and, thus, binding on this Court. We will not disturb these factual findings.

Moreover, petitioners filed the petition for reconstitution of OCT 632 nineteen (19) years after the title was allegedly lost or destroyed. We thus consider petitioners guilty of laches.[27] Laches is negligence or omission to assert a right within a reasonable time, warranting the presumption that the party entitled to assert it either has abandoned or declined to assert it.[28]

We find hypocritical and pharisaical petitioners' manifestation expressing willingness to donate to the government the portions of the 439 hectares of land presently occupied by government offices. *Nihil dat qui non habet* – He can not give what he does not have.[29]

Petitioners contend that the trial court's decision has become final and executory for failure of the Register of Deeds and Land Registration Commission to appeal within the prescribed period.

Petitioners' submission can not be sustained.

Petitioners were not parties in the case before the trial court for the judicial reconstitution of OCT 632. It was Eulalio Ragua, later succeeded by his heirs, who filed the petition for reconstitution. Not being parties to the petition, petitioners have no personality to file the motion for execution of judgment. In any event, the decision cannot be executed as timely appeals therefrom were taken by the parties.

In a petition for judicial reconstitution of title, the Register of Deeds is merely a nominal party. In fact, it is not even required to implead him. In the instant cases, the Republic of the Philippines together with other intervenors and oppositors, interposed appeals to the Court of Appeals within the prescribed period.

There is no merit to petitioners' argument that the Court of Appeals' decision in CA-G. R. CV No. 20701 is legally incompatible with its decision in CA-G. R. CV Nos. 00705-00706. CA-G. R. CV No. 20701 confirmed the legal rights of petitioners over the parcels of land ceded to them by virtue of the deeds of assignments executed by

Eulalio Ragua. The decision of the Court of Appeals in CA-G. R. CV No. 20701 did not involve the validity of the Ragua title.

On the other hand, the decision in CA-G. R. CV Nos. 00705-06 dealt with the petition for judicial reconstitution of title filed by Eulalio Ragua and granted by the trial court.

"The reconstitution of a title is simply the reissuance of a new duplicate certificate of title allegedly lost or destroyed in its original form and condition." [30] Consequently, as the purported sources of the title to be reconstituted were dubious, the trial court erred in making use of them for the reconstitution of the title in the name of Eulalio Ragua.

WHEREFORE, the Court hereby DENIES the petitions in G. R. Nos. 88521-22 and G. R. Nos. 89366-67, for lack of merit. The Court AFFIRMS the decision of the Court of Appeals in CA-G. R. CV Nos. 00705-00706, promulgated on May 30, 1989.

No costs.

SO ORDERED.

Davide, Jr., C.J., (Chairman), Puno, and Ynares-Santiago, JJ., concur.

Kapunan, J., took no part, appeared as counsel for respondent Republic of the Philippines in an incident before the trial court when he was Asst. Sol. Gen.

[1] G. R. Nos. 88521-22, Rollo, pp. 1042-1043.

[2] In CA-G. R. CV Nos. 00705-06, promulgated on May 30, 1989.

[3] In Case No. C-119 LRC (GLRO) Record No. 7984 and Civil Case No. Q-8559 dated March 24, 1980, Judge Ernani Cruz Paño, presiding.

[4] Branch 12, docketed as Civil Case No. C-119.

[5] Docketed as Civil Case No. Q-8559.

[6] The Republic of the Philippines appeared in behalf of the following government agencies: Department of National Defense, Department of Agriculture and Natural Resources, and Parks and Wildlife Office.

[7] Tiburcio vs. PHHC, 106 Phil. 477 [1959] and Galvez vs. Mariano Severo Tuason, 119 Phil. 612 [1964].

[8] Tuason Record on Appeal, pp. 121-123.

[9] In Civil Case No. C-119 and Civil Case No. Q-8559.

[10] G. R. No. 88521-22, Rollo, pp. 86-116.

[11] Docketed as CA-G. R. CV Nos. 00705-00706.

[12] G. R. Nos. 88521-22, Rollo, pp. 117-151.

[13] J. M. Tuason & Co. v. Bolanos, 95 Phil 106 [1954]; J. M. Tuason & Co. v. de Guzman, 99 Phil. 281 [1956]; J. M. Tuason & Co. v. Santiago, 99 Phil. 615 [1956]; Tiburcio v. PHHC, supra, Note 7; J. M. Tuason & Co. v. Aguirre, 117 Phil. 110 [1963]; Galvez v. J. M. Tuason & Co., supra, Note 7.

[14] Alabang Development Corporation v. Valenzuela, 116 SCRA 261 [1982].

- [15] Docketed as G. R. Nos. 88521-22.
- [16] G. R. Nos. 89366-67, Rollo, pp. 3-18.
- [17] G. R. Nos. 89366-67, Rollo, p. 202.
- [18] G. R. Nos. 88521-22, Rollo, p. 273.
- [19] G. R. Nos. 88521-22, Rollo, pp. 310-349.
- [20] G. R. Nos. 89366-67, Rollo, p. 598.
- [21] G. R. Nos. 89366-67, Rollo, pp. 630-634.
- [22] G. R. Nos. 88521-22, Rollo, pp. 1031-1035.
- [23] *Alabang Development Corporation v. Valenzuela*, 116 SCRA 261 [1982]; *Director of Lands v. Court of Appeals*, 102 SCRA 370, 435 [1981]; *Republic v. Court of Appeals*, 247 SCRA 551, 556 [1995]; *Stilianopulos v. The City of Legaspi*, G. R. No. 133913, October 12, 1999.
- [24] *Stilianopulos v. The City of Legaspi*, *supra*, citing *Alabang Development Corporation v. Valenzuela*, *supra*; *Republic v. Marasigan*, 198 SCRA 219[1991].
- [25] *Alipoon v. Court of Appeals*, G. R. No. 127523, March 22, 1999; *National Steel Corporation v. Court of Appeals*, 283 SCRA 45, 67[1997].
- [26] *Rivera v. Court of Appeals*, 244 SCRA 218, 222 [1995].
- [27] *Alabang Development Corporation v. Valenzuela*, *supra*.
- [28] *Catholic Bishop of Balanga v. Court of Appeals*, 264 SCRA 181 [1986].
- [29] *Villaluz v. Neme*, 7 SCRA 27, 30 [1963].
- [30] *Strait Times, Inc. v. Court of Appeals*, 294 SCRA 714, 726 [1998].

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.