

****Title:** Maryline Esteban vs. Radlin Campano, G.R. No. 100994******

****Facts:****

1. Maryline Esteban and Elpidio Talactac were married in 1988 and had two children. Their marriage deteriorated, leading to Maryline's filing of an annulment petition in 2005.
2. During the annulment proceedings, a Compromise Agreement was reached in 2006, awarding several properties to Maryline. This agreement was included in the 2007 annulment decision.
3. The Sheriff could not execute possession of certain properties due to Campano's occupancy, claiming ownership via documents Elpidio executed in 2004 and 2005, transferring rights to Campano.
4. In 2007, Elpidio executed a revocation of these transfers, designating Maryline to recover the properties. Despite demands to vacate, Campano remained in possession, leading to Maryline's lawsuit for recovery of possession.
5. Campano claimed occupancy since 2004, supported by tax declarations, barangay certifications, and pending lease application with the Philippine National Railway (PNR), citing Executive Order No. 48 for socialized housing.
6. The RTC decided in favor of Maryline in 2013, ordering Campano to vacate. Campano appealed.
7. The CA reversed the RTC's decision in 2017, ruling in favor of Campano. Maryline sought reconsideration, which was denied, prompting her petition to the Supreme Court.

****Issues:****

1. Did the Court of Appeals err in dismissing the complaint for recovery of possession?
2. Does Campano have a legitimate and superior right of possession over the properties?

****Court's Decision:****

1. ****Void Transfers:**** The Supreme Court found that the Kasulatan executed by Elpidio, transferring property rights to Campano, were null and void. The agreements were sham transfers lacking consideration and intended to preempt the annulment settlement.
2. ****Marriage Regime Laws:**** Citing Articles 166 and 173 of the Civil Code, the Court held that the transfers of conjugal property without the wife's consent can be declared voidable. However, in this instance, the transfers were null outright due to lack of bona fide intent and no consideration.
3. ****Validity of Revocation:**** The Court held that Elpidio's revocation of the transfers was irrelevant because the initial transactions were null and void.
4. ****Better Right of Possession:**** The Court concluded that Maryline, given the annulment

settlement, has the superior right to the properties, affirming the RTC's original decision directing Campano to vacate.

****Doctrine:****

A transfer of conjugal property rights executed by one spouse without the consent of the other is generally only voidable unless the transfer lacks consideration or demonstrates a fraudulent intent, rendering it void ab initio. Additionally, voidable transactions can be challenged within specific statutory limits, exemplified here by the application of Articles 166 and 173 of the Civil Code.

****Class Notes:****

- ****Conjugal Partnership Property:****
- Governed by the Civil Code if the marriage was contracted before the Family Code's effectivity.
- ****Property Transfer Without Spouse's Consent:****
- Under civil law, generally voidable, but can be null if without consideration.
- ****Legal Revocation:****
- Null transfers require no formal revocation to be invalidated.

****Historical Background:****

The case contextualizes the legal landscape governing conjugal property relations in the Philippines, especially under marriages existent before the Family Code. It showcases judicial interpretation of property laws, emphasizing the protective outlook towards non-consenting spouses in property transfers, especially amidst divorce or annulment disputes, embodying broader historical efforts to align dispute resolution with equitable doctrines amidst evolving family law paradigms.