

SECOND DIVISION

[G.R. No. 233578, March 15, 2021]

**REPUBLIC OF THE PHILIPPINES, PETITIONER, VS. HEIRS OF
JULIAN STA. ANA AND MERCEDES STA. ANA, RESPONDENTS.**

DECISION

LAZARO-JAVIER, J.:

The Case

This Petition for Review assails the Decision^[1] dated August 14, 2017 of the Court of Appeals in CA-G.R. SP No. 139385 entitled "*Republic of the Philippines v. Hon. Maria Gracia A. Cadiz-Casaclang in her capacity as Presiding Judge of the Regional Trial Court, Branch 155, Pasig City, and the Heirs of Julian Sta. Ana and Mercedes Sta. Ana.*" The Court of Appeals dismissed the petition for *certiorari* of the Republic of the Philippines and affirmed the trial court's directive for the Land Registration Authority (LRA) to issue a title on the subject lot in the name of respondents.

Proceedings before the Trial Court

Respondents Heirs of Julian Sta. Ana and Mercedes Sta. Ana filed with the Regional Trial Court (RTC), Pasig City an application for registration of Lot 459, Pasig Cadastre, Psc-14 docketed as LRC Case No. N-5999.^[2] It was raffled to Branch 155.

On March 22, 1999, respondents filed an Urgent Ex Parte Motion for Issuance of a Decree^[3] on the basis of a final and executory Decision dated October 26, 1967 previously rendered by the trial court in a similar application for registration of the same lot initiated by their predecessors-in-interest Julian Sta. Ana and Mercedes Sta. Ana.^[4] Its dispositive portion reads:

WHEREFORE, the Court hereby declares applicants Julian Sta. Ana and Mercedes, both single, of legal age and residents of Sta. Cruz, Pasig, Rizal, the true and absolute owners of the parcel of land covered by Plan-AP 16200, in equal shares, pro-indiviso, and orders the registration thereof in (their) names.

Once this decision becomes final, let an order for the issuance of Decree issue.

SO ORDERED.^[5]

According to respondents, the aforesaid decision was assailed before the Court of Appeals in CA-G.R. SP No. 24531. By Decision dated October 8, 1991, the Court of Appeals affirmed. It also denied the subsequent motion for reconsideration filed by a certain Anita Gonzal. On May 19, 1992, the corresponding entry of judgment was issued.^[6]

Back to respondents' Urgent Ex Parte Motion for Issuance of a Decree in LRC Case No. N-5999, the trial court granted it and consequently issued an Order for the Issuance of Decree^[7] dated May 19, 1999. There, the trial court directed the Commissioner of the LRA to comply with Section 39^[8] of Presidential Decree No. 1529 (PO 1529).

In response, the Director of LRA's Department on Registration, Pelino Cortez submitted his Supplementary Report^[9] dated October 11, 2000, informing the trial court that a portion of subject lot was already covered by a prior registration proceeding in Cadastral Case No. 10, Cadastral Record No. 984 and that a second registration thereof on the basis of the trial court's Decision dated October 26, 1967 would result in double registration, thus:

2. It is gleaned from the foregoing annotation that portion of Lot 459, Pasig, Cadastre is already covered by a certificate of title pursuant to the cadastral decision rendered in Cadastral Case No. 10, Cadastral Record No. 984, a copy of page 80 of the Record Book of Cadastral Lots, Book K, wherein said lot and notation appear is attached hereto as Annex "A";^[10]

x x x x

8. To issue the decree of registration sought by the petitioner pursuant to the decision in the case at bar, it would result in the duplication of titles over the same parcel of land, and thus, contravene the policy and purpose of the Torrens registration system, and destroy the integrity of the same (G.R. No. 63189 (*Pedro E. San Jose vs. Hon. Eutropio Migrino, et al.*)).^[11]

Director Cortez also made mention of LRA's earlier report to the court bearing the following recommendation:

3. In said report it was respectfully recommended to the Honorable Court that the applicants in Case No. N-5999 be ordered to present an emended plan of Lot 459, Pasig Cadastre, Psc-14, together with its technical descriptions, duly approved by the Director of Lands and by this Honorable Court segregating therefrom the titled portion included in Lot 459, Pasig Cadastre;^[12]

x x x x

Too, he informed the court of the steps taken by the LRA to ascertain the details pertaining to the prior registration of the subject portion, viz.:

4. On January 4, 1989, a letter of this Authority was sent to the Regional Technical Director, National Capital Region, a copy is attached hereto as Annex "B", informing that per our Records of Cadastral lots, a portion of Lot 459, Psc-14, Pasig Cadastre is already covered by patent title pursuant to the cadastral decision rendered in Cad. Case No. 10, GLRO Cadastral Record No. 984. However, copy of the cadastral decision is not among our available records, and requested that this Authority be informed which portion of Lot 459 is covered by the isolated survey plan covered by patent title, and furnished us with a print copy of the cadastral map wherein said Lot 459 was projected.

5. In reply to our follow-up letter dated November 6, 1989, the Regional Technical Director, in its letter dated May 9, 1991, a copy is attached hereto as Annex "C", informed that they cannot furnish our office the equivalent highest lot number of Lot 459, Pasig Cadastre because the said highest number is not available as per record in their file, and requested that their office be furnished with a Xerox copy of Records of Cadastral Lots, a portion of Lot 459, Psc-14, Pasig Cadastre is already covered by Patent title pursuant to the Cadastral decision rendered in Cadastral Case No. 10, GLRO Cadastral Record No. 984. In said letter, it was further informed that they cannot furnish our office the Cadastral Map (CM) because the Cadastral Survey of Pinagbuhatan, Pasig Cadastre is still in progress.

6. On June 4, 1991, another letter of this Authority was sent to the Regional Technical Director, a copy is attached hereto as Annex "D", furnishing a Xerox copy of page 80 of our Record Book of Cadastral Lots containing the information regarding Lot 459, Psc-14, Pasig Cadastre that a portion of said lot is already covered by a certificate of title pursuant to the decision rendered in Cad. Case No. 10, and informed also that Pasig cadastre, Psc-14, was surveyed on December 1, 1927 to July 1928;

7. In reply, the Regional Technical Director, in its letter dated 16 June 1992, a copy is attached hereto as Annex "E", informed that as per area sheet book of Lot 459, Psc-14, Pasig Cadastre on file in the Technical Records Section, it has no notation of previous subdivision as verified from among the files of highest Lot No. Therefore, there is no record of subdivision of Lot 459, Pasig Cadastre;^[13]

x x x x

Acting thereon, the court, by Order^[14] dated December 5, 2013, directed respondents to submit, within twenty (20) days from notice, the amended plan of Lot 459, Pasig Cadastre, Psc-14, together with its technical description, segregating the already titled portion of the subject lot per Cadastral Case No. 10, Cadastral Record No. 984.

In their Manifestation with Urgent Motion for Reconsideration^[15], respondents posited that their painstaking effort to comply with the said order was all in vain because: 1) there was no copy of the decision in Cadastral Case No. 10, Cadastral Record No. 984; 2) no record of the decision can be found either in the files of the concerned government agencies, except a notation on page 80 of Book "K" of the Record Book of Cadastral Lots; and 3) the Regional Technical Director for Lands has no record of any public land application or patent on the subject lot.

In its Opposition,^[16] the Republic countered that the urgent motion for reconsideration was filed out of time and respondents did not comply with the directive.

In their respective reply^[17] and rejoinder,^[18] the parties reiterated their arguments.

The Ruling of the Trial Court

By Order^[19] dated August 17, 2014, the court required the LRA to issue a title in the name of respondents' predecessors-in-interest over Lot 459, Pasig Cadastre, Psc-14 consistent with its final and executory Decision dated October 26, 1967, thus:

Acting on the Manifestation With Urgent Motion for Reconsideration filed by the applicants, through counsel, and it appearing that it was filed by applicants specifically to reconsider the Order of this Court dated December 5, 2013, hence, the same was seasonably filed contrary to the position of the oppositor Republic of the Philippines, represented by the Office of the Solicitor General, and it appearing further that herein applicants have exhausted all possible means and exerted all efforts to comply with the said Order of this Court dated December 5, 2013 but they did not pursue for the amendment of the plan of Lot 459 pursuant thereof because the segregated portion refers to the portion of land covered by Tax Declaration No. E-016-00025 issued to Ma. Jovita F. Fontanilla, et. al. who have no title nor any document to show ownership thereof and which portion of land herein applicants are contesting, and it appearing further that the Regional Trial Court, Branch 155, Pasig City (this Court) issued a certification that based on its existing files there is no record of a CFI Decision dated April 11, 1934 pertaining to Lot 459, Pasig Cadastre PSC-14 (Annex "B" Manifestation), and it appearing further that the Records Management Division, Land Management Bureau, the Land Surveys Division, DENR has no record appearing on their files of application of title nor was there any patent issued covering a portion of Lot 459, Cad 579, Pasig Cadastre (Annex "C", Manifestation), and it appearing further that the LRA has no record of the Cadastral decision supposedly rendered in Cadastral Case No. 10, Cadastral Record No. 984, and it appearing finally that, under the premises, the issuance of the decree of registration covering Lot 459, Cad 579 pursuant to the Decision of this Court dated October 26, 1967 would not result in the duplication of titles over the same parcel of land, the same is hereby GRANTED.^[20]

In its subsequent Motion for Reconsideration,^[21] the Republic pointed out that respondents failed to comply with the Order dated December 5, 2013 and the LRA's Supplemental Report dated October 1, 2013. The court therefore should not have directed the issuance of title in their favor for the same would result in two (2) overlapping titles.

In their Comment/Opposition,^[22] respondents countered that the issuance of a registration decree pursuant to the Decision dated October 26, 1967 will not result in duplication of titles because no previous title had actually been issued yet on the lot. In fact, the Records Management Division, Land Management Bureau, the Land Records Information and Statistics Section, and the Department of Environment and Natural Resources (DENR) and its Surveys Division had all certified that no record of public land application nor home patent on the subject lot exists.

By Order^[23] dated December 9, 2014, the court denied the Republic's motion for reconsideration.

The Ruling of the Court of Appeals

By its assailed Decision^[24] dated August 14, 2017, the Court of Appeals dismissed the Republic's petition for *certiorari*, ratiocinating, thus:

A cursory reading of the LRA's report revealed the LRA's declaration that a portion of Lot 459 was supposedly covered by a certificate of title pursuant to the cadastral Decision rendered in Cadastral Case No. I 0. Later, in a letter sent to the Regional Technical Director, the LRA went on to state that: "However, a copy of said cadastral decision is not among our available records, and [sic] requested that this Authority be informed which portion of Lot 459 is covered by the isolated survey plan covered by patent title, and furnished [sic] us with a print copy of the cadastral map wherein said lot 459 was projected."

It is a basic principle under Presidential Decree No. 1529 that the LRA is the central repository of all land records involving registered or titled lands. As such, it keeps the title history or records of transaction involving titled or registered lands. Thus, it is specifically called upon to extend assistance to courts in ordinary and cadastral land registration proceedings.

Nevertheless, as can be gleaned from available details, private respondents exerted meticulous efforts to comply with the previous RTC Order to present an amended plan and technical description of Lot 459, Psc-14, Pasig Cadastre which segregated the supposed titled portion of the lot pursuant to the alleged Decision in Cadastral Case No. 10. However, as previously underscored by the assailed RTC Order, there was no such Decision on record in any of the concerned government agencies.

Necessarily, the Court cannot therefore help but wonder how private respondents can produce an amended plan about the portion of Lot 459, to the exclusion of the titled area, pursuant to the supposed Decision in Cadastral Case No. 10 when such Decision in Cadastral Case No. 10 was admittedly unavailable with the LRA.

Further, the reply letter of the Regional Technical Director informed the LRA that the equivalent highest lot number of Lot 459, Pasig Cadastre was not available on file. Likewise, there was failure to furnish a copy of the Cadastral Map because the Cadastral Survey of Pinagbuhatan, Pasig Cadastre was still in progress; and as per area sheet book of Lot 459, Psc-14, Pasig Cadastre, Lot 459 did not have a notation of a previous subdivision.

Essentially, then, what petitioner aired before Us revolved on a subtle attempt towards fact-discovery over crucial matters which task was best left to the court below. Apart from the acknowledged norm in adjective law that factual findings of the lower courts are entitled to great weight and respect on appeal, and in fact accorded finality when supported by substantial evidence on the record, an attempt on Our part to even assay the veracity of the LRA report, as well as the truth and probative weight of the statements contained on the document, will