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SECOND DIVISION

[G.R. No. 180027, July 18, 2012]

REPUBLIC OF THE PHILIPPINES, PETITIONER, VS. MICHAEL C. SANTOS, VAN NESSA C. SANTOS, MICHELLE C. SANTOS AND DELFIN SANTOS, ALL REPRESENTED BY DELFIN C. SANTOS, ATTORNEY-IN-FACT, RESPONDENTS.

D E C I S I O N

PEREZ, J.:

For review[1] is the Decisiot[2] dated 9 October 2007 of the Court of Appeals in CA-G.R. CV No. R6300. In the said decision, the Court of Appeals Affirmed *in toto* the 14 February 2005 ruling[3] of the Regional Trial Court (RTC), Branch 15, of Naic, Cavite in LRC Case No. NC-2002-1292. The dispositive portion or the Court or Appeals' decision accordingly reads:

> **WHEREFORE**, the instant appeal is hereby **DENIED**. The assailed decision dated February 14, 2005 of the Regional Trial Court (Branch 15) in Naic, Cavite, in LRC Case No. NC2002- 1292 is **AFFIRMED *in toto***. No costs.[4]

The aforementioned ruling of the RTC granted the respondents' Application for Original Registration of a parcel of land under Presidential Decree No. 1529.

The antecedents are as follows:

Prelude

In October 1997, the respondents purchased three (3) parcels of unregistered land situated in *Barangay* Carasuchi, Indang, Cavite.[5] The 3 parcels of land were previously owned by one Generosa Asuncion (Generosa), one *Teresita Sernal* (Teresita) and by the *spouses Jimmy and Imelda Antona*, respectively.[6]

Sometime after the said purchase, the respondents caused the survey and consolidation of the parcels of land. Hence, *per* the consolidation/subdivision plan *Ccs-04-003949-D*, the 3 parcels were consolidated into a single lot—"**Lot 3**"—with a determined total area of nine thousand five hundred seventy-seven (9,577) square meters. [7]

The Application for Land Registration

On 12 March 2002, the respondents filed with the RTC an Application[8] for Original

Registration of **Lot 3**. Their application was docketed as LRC Case No. NC-2002-1292.

On the same day, the RTC issued an *Order*[9] setting the application for initial hearing and directing the satisfaction of jurisdictional requirements pursuant to Section 23 of Presidential Decree No. 1529. The same *Order*, however, also required the Department of Environment and Natural Resources (DENR) to submit a *report* on the status of **Lot 3**.[10]

On 13 March 2002, the DENR Calabarzon Office submitted its *Report*[11] to the RTC. The *Report* relates that the area covered by Lot 3 *"falls within the Alienable and Disposable Land, Project No. 13 of Indang, Cavite per LC*[12] *3013 certified on March 15, 1982."* Later, the respondents submitted a Certification[13] from the DENR-Community Environment and Natural Resources Office (CENRO) attesting that, indeed, **Lot 3** was classified as an *"Alienable or Disposable Land"* as of 15 March 1982.

After fulfillment of the jurisdictional requirements, the government, through the Office of the Solicitor General, filed the *lone* opposition[14] to the respondents' application on 13 May 2003.

The Claim, Evidence and Opposition

The respondents allege that their predecessors-in-interest *i.e.*, the previous owners of the parcels of land making up **Lot 3**, have been in "*continuous, uninterrupted, open, public [and] adverse*" possession of the said parcels "*since time immemorial*." [15] It is by virtue of such lengthy possession, tacked with their own, that respondents now hinge their claim of title over **Lot 3.**

During trial on the merits, the respondents presented, among others, the testimonies of Generosa[16] and the representatives of their two (2) other predecessors-in-interest.[17] The said witnesses testified that they have been in possession of their respective parcels of land for over thirty (30) years *prior* to the purchase thereof by the respondents in 1997.[18] The witnesses also confirmed that neither they nor the interest they represent, have any objection to the registration of **Lot 3** in favor of the respondents.[19]

In addition, Generosa affirmed in open court a *Joint Affidavit*[20] she executed with Teresita.[21] In it, Generosa revealed that the portions of **Lot 3** previously pertaining to her and Teresita were once owned by her father, Mr. Valentin Sernal (Valentin) and that the latter had "*continuously, openly and peacefully occupied and tilled as* absolute owner" such lands even "*before the outbreak of World War 2*."[22]

To substantiate the above testimonies, the respondents also presented various *Tax Declarations*[23] covering certain areas of **Lot 3**—the earliest of which dates back to 1948 and covers the portions of the subject lot previously belonging to Generosa and Teresita.[24]

On the other hand, the government insists that **Lot 3** still forms part of the public

domain and, hence, not subject to private acquisition and registration. The government, however, presented no further evidence to controvert the claim of the respondents.[25]

The Decision of the RTC and the Court of Appeals

On 14 February 2005, the RTC rendered a ruling granting the respondents' Application for Original Registration of **Lot 3**. The RTC thus decreed:

> **WHEREFORE**, in view of the foregoing, this Court confirming its previous Order of general default, decrees and adjudges Lot 3 (Lot 1755) Ccs-04-003949-D of Indang, Cadastre, with a total area of **NINE THOUSAND FIVE HUNDRED FIFTY SEVEN** (9,577) square meters and its technical description as above-described and situated in Brgy. [Carasuchi], Indang, Cavite, pursuant to the provisions of Act 496 as amended by P.D. No. 1529, it is hereby decreed and adjudged to be confirmed and registered in the name of herein applicants **MICHAEL C. SANTOS, VANESSA C. SANTOS, MICHELLE C. SANTOS, and DELFIN C. SANTOS**, all residing at No. 60 Rockville Subdivision, Novaliches, Quezon City.
>
> Once this decision has become final, let the corresponding decree of registration be issued by the Administrator, Land Registration Authority. [26]

The government promptly appealed the ruling of the RTC to the Court of Appeals. [27] As already mentioned earlier, the Court of Appeals affirmed the RTC's decision on appeal.

Hence, this petition.[28]

The sole issue in this appeal is whether the Court of Appeals erred in affirming the RTC ruling granting original registration of **Lot 3** in favor of the respondents.

The government would have Us answer in the affirmative. It argues that the respondents have failed to offer evidence sufficient to establish its title over Lot 3 and, therefore, were unable to rebut the *Regalian* presumption in favor of the State. [29]

The government urges this Court to consider the DENR Calabarzon Office *Report* as well as the DENR-CENRO *Certification*, both of which clearly state that **Lot 3** only became "*Alienable or Disposable Land*" on 15 March 1982.[30] The government posits that since **Lot 3** was only classified as alienable and disposable on 15 March 1982, the period of prescription against the State should also commence to run only from such date.[31] Thus, the respondents' 12 March 2002 application—filed nearly twenty (20) years after the said classification—is still premature, as it does not meet the statutory period required in order for extraordinary prescription to set in.[32]

OUR RULING

We grant the petition.

Jura Regalia and the Property Registration Decree

We start our analysis by applying the principle of *Jura Regalia* or the *Regalian Doctrine*.[33] *Jura Regalia* simply means that the State is the original proprietor of all lands and, as such, is the general source of all private titles.[34] Thus, pursuant to this principle, all claims of private title to land, *save those acquired from native title,*[35] must be traced from some grant, whether express or implied, from the State.[36] Absent a clear showing that land had been let into private ownership through the State's *imprimatur*, such land is presumed to belong to the State.[37]

Being an unregistered land, Lot 3 is therefore presumed as land belonging to the State. It is basic that those who seek the entry of such land into the Torrens system of registration must first establish that it has acquired valid title thereto as against the State, in accordance with law.

In this connection, original registration of title to land is allowed by Section 14 of Presidential Decree No. 1529, or otherwise known as the *Property Registration Decree*. The said section provides:

> **Section 14**. Who may apply. The following persons may file in the proper Court of First Instance an application for registration of title to land, whether personally or through their duly authorized representatives:
>
> > (1) **Those who by themselves or through their predecessors-in-interest have been in open, continuous, exclusive and notorious possession and occupation of alienable and disposable lands of the public domain under a bona fide claim of ownership since June 12, 1945, or earlier.**
> >
> > (2) **Those who have acquired ownership of private lands by prescription under the provisions of existing laws.**
> >
> > (3) Those who have acquired ownership of private lands or abandoned river beds by right of accession or accretion under the existing laws.
> >
> > (4) Those who have acquired ownership of land in any other manner provided for by law. (Emphasis supplied)

Basing from the allegations of the respondents in their application for land registration and subsequent pleadings, it appears that they seek the registration of **Lot 3** under either the **first** or the **second** paragraph of the quoted section.

However, after perusing the records of this case, as well as the laws and jurisprudence relevant thereto, We find that *neither* justifies registration in favor of

the respondents.

Section 14(1) of Presidential Decree No. 1529

Section 14(1) of Presidential Decree No. 1529 refers to the original registration of "*imperfect*" titles to public land acquired under Section 11(4) in relation to Section 48(b) of Commonwealth Act No. 141, or the *Public Land Act*, as amended.38 Section 14(1) of Presidential Decree No. 1529 and Section 48(b) of Commonwealth Act No. 141 specify identical requirements for the judicial confirmation of *"imperfect"* titles, to wit:39

1. That the subject land forms part of the alienable and disposable lands of the public domain;.

2. That the applicants, by themselves or through their predecessors-in-interest, have been in open, continuous, exclusive and notorious possession and occupation of the subject land under a *bona fide* claim of ownership, and;

3. That such possession and occupation must be **since June 12, 1945 or earlier.**

In this case, the respondents were not able to satisfy the **third** requisite, *i.e*., that the respondents failed to establish that they or their predecessors-in-interest, have been in possession and occupation of **Lot 3** "*since June 12, 1945 or earlier.*" An examination of the evidence on record reveals so:

First. The testimonies of respondents' predecessors-in-interest and/or their representatives were patently deficient on this point. None of them testified about possession and occupation of the subject parcels of land dating back to 12 June 1945 or earlier. Rather, the said witnesses merely related that they have been in possession of their lands *"for over thirty years"* prior to the purchase thereof by respondents in 1997.[40]

Neither can the affirmation of Generosa of the *Joint Affidavit* be considered as sufficient to prove compliance with the third requisite. The said Joint *Affidavit* merely contains a **general** claim that Valentin had "*continuously, openly and peacefully occupied and tilled as absolute owner*" the parcels of Generosa and Teresita even "*before the outbreak of World War 2*" — which lacks specificity and is unsupported by any other evidence. In ***Republic v. East Silverlane Realty Development Corporation***,[41] this Court dismissed a similar unsubstantiated claim of possession as a "*mere conclusion of law*" that is "*unavailing and cannot suffice*:"

> Moreover, Vicente Oco did not testify as to what specific acts of dominion or ownership were performed by the respondent's predecessors-in-interest and if indeed they did. He merely made a **general claim** that they came into possession before World War II, which is a **mere conclusion of law and not factual proof of possession, and therefore unavailing and cannot suffice.**[42] **Evidence of this nature should have been received with suspicion, if not dismissed as tenuous and unreliable.**