

FIRST DIVISION

[G.R. No. 115794, June 10, 1999]

ANASTACIO MANANGAN, PETITIONER, VS. ANGEL DELOS REYES, GERMAN DELOS REYES, AURELLANA DELOS REYES, JOSEFINA DELOS REYES AND INOCENCIO DELOS REYES, RESPONDENTS.

D E C I S I O N

PARDO, J.:

Can possession by a vendee of an unregistered real property defeat the torrens title thereon later secured by the vendor in spite of the sale, where the title was obtained in land registration proceedings filed thirty eight (38) years ago?

In this appeal *via certiorari*, petitioner seeks to reverse the decision^[1] of the Court of Appeals holding that an action for reconveyance or recovery of ownership of the land fraudulently titled to respondent has prescribed and is barred by laches.

We affirm.

The facts are as follows:

Respondents were co-owners of three (3) parcels of land with an area of 13,083 square meters, located in Mabaliguen, San Narciso, Zambales, covered by OCT No. 7372 of the Register of Deeds of Zambales^[2].

Petitioner, on the other hand, was a tenant of the respondents and had been sharing the harvest of the land with respondents' mother, Macaria Villanueva, during her lifetime.^[3]

On December 11, 1932, Macaria Villanueva sold the parcels of land in question to Victoriano Manangan, petitioner's father, in consideration of one thousand pesos (P 1,000.00) as evidenced by a duly notarized deed of sale signed by Macaria and the respondents except Inocencio de los Reyes.^[4]

In 1934, after cadastral proceedings were initiated over the land, the registration court decreed registration under the torrens system of the parcels of land involved in the names of Macaria Villanueva, Cirilo de los Reyes, and Francisco de los Reyes.

On June 21, 1937, the Register of Deeds of Zambales, pursuant to the decree of registration, issued Original Certificate of Title No. 7372 in the names of Macaria Villanueva, Cirilo de los Reyes, and Francisco de los Reyes, now all deceased. Macaria is survived by three children, namely respondents Angel de los Reyes, Germana de los Reyes and Aureliana de los Reyes. Francisco is survived by two children, respondents Josefina and Inocencio de los Reyes. Cirilo died without any

issue.^[5]

On July 6, 1974, respondents filed with the Court of First Instance of Zambales, a complaint for recovery of possession of the aforesaid parcels of land against petitioner claiming the right of possession of said land. Petitioner resisted such claim alleging fraud in causing the land to be registered in respondents' names despite its sale to petitioner's father. On March 14, 1975, petitioner filed with the lower court an amended answer for reconveyance of the lots in question.

On October 19, 1987, the Regional Trial Court, Branch 71, Iba, Zambales, rendered a decision in favor of respondents declaring that they had a better right over the subject parcels of land.

The dispositive portion of the decision reads:

"WHEREFORE, premises considered, judgment is hereby rendered in favor of the plaintiffs-adjudging them to have a better right to own and possess the subject parcels of land-and the defendant (his agents, privies, successors-in-interest, representatives, acting under him are ordered to:

"1) Vacate the subject premises and deliver or restore peacefully the possession of the properties described in the complaint to the plaintiffs;

"2) Pay to the plaintiffs the aggregate amount representing the value of palay (twenty cavans annually) from 1956 up to the time the defendant finally vacates or surrenders the possession of subject parcels at the rate of P25.00 per cavan;

"3) Pay to the plaintiffs the sum of P 2,000.00 for and attorney's fees.

"Costs against the defendant.

"SO ORDERED.

Manila for Iba, Zambales, October 19, 1987.

"RAMON MABUTAS, JR.

"J u d g e"^[6]

In due time, petitioners appealed to the Court of Appeals.^[7]

After due proceedings, on April 19, 1993, the Court of Appeals promulgated its decision affirming the trial court's conclusion and ruling that petitioner's action had prescribed and was barred by laches.^[8]

Thus, the Court of Appeals said:

"We find the appeal without merit on the sole ground that appellants are guilty of laches and they have lost their right to ask for reconveyance of the property in their favor. Appellants' Exhibit "1" and "1-D", a notarized