

Republic of the Philippines
Supreme Court
Manila

SECOND DIVISION

**SPOUSES DANTE SJ.
MANZANA and SONIA R.
MANZANA,**

Petitioners,

-versus-

**REPUBLIC OF THE
PHILIPPINES,**

Respondent.

G.R. No. 195636

Present:

LEONEN, S.A.J., Chairperson,*
LAZARO-JAVIER,
Acting Chairperson,

LOPEZ, M.,
LOPEZ, J., and
KHO, JR., JJ.

Promulgated:
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DECISION

KHO, JR., J.:

Assailed in this Petition for Review on *Certiorari*¹ under Rule 45 of the Rules of Court are the Decision² dated June 28, 2010 and the Resolution³ dated September 14, 2010 of the Court of Appeals (CA) in CA-G.R. CV No. 91813, which reversed and set aside the Decision⁴ dated June 25, 2008 of the Municipal Trial Court of Morong, Rizal (MTC), acting as a Land Registration

* On official business.

¹ *Rollo*, pp. 12-36.

² *Id.* at 56-70. Penned by Associate Justice Samuel H. Gaerlan (now a Member of this Court) and concurred in by Associate Justices Hakim S. Abdulwahid and Ricardo R. Rosario (now a Member of this Court) of the Eleventh Division, Court of Appeals, Manila.

³ *Id.* at 7. Penned by Associate Justice Samuel H. Gaerlan (now a Member of this Court) and concurred in by Associate Justices Hakim S. Abdulwahid and Ricardo R. Rosario (now a Member of this Court) of the Former Eleventh Division, Court of Appeals, Manila.

⁴ *Id.* at 49-53. Penned by Presiding Judge Rodrigo L. Posadas of the Municipal Trial Court of Morong, Rizal.

Court. The MTC ruling declared and confirmed the ownership of Lot 5653, Psc-16, Morong Cadastral⁵ in favor of spouses Dante and Sonia Manzana (spouses Manzana).

The Facts

On September 10, 2002, spouses Manzana filed before the MTC, acting as a Land Registration Court, an Application⁶ for original registration of land under Presidential Decree (P.D.) No. 1529, otherwise known as the Property Registration Decree.

Spouses Manzana alleged that they are the owners of a 2,815-square meter parcel of land designated as Lot 5653; that the land subject of the application had been surveyed and the corresponding plan was approved; that the assessed value of the property is PHP 6,640.00 under Tax Declaration No. 02-2339-A; that to the best of their knowledge, there is no mortgage or encumbrance of any kind whatsoever affecting said land nor any other person having interest therein legal or equitable; that they acquired the land from Caridad Bonifacio by way of Deed of Sale; that they had succeeded in the peaceful possession over said lot and have occupied and have been occupying the same in the concept of an owner, public, quiet, and peaceful without any adverse claim of ownership from any third person or entity; that the adjoining owners were duly notified of the survey conducted at the subject property; and, that the application was accompanied by other documents.⁷

The Republic of the Philippines (the Republic), through the Office of the Solicitor General (OSG), filed its Opposition⁸ on the grounds that spouses Manzana have not been in open, continuous, exclusive and notorious possession and occupation of the land since June 12, 1945 or prior thereto; that the muniments of title or tax declaration do not constitute competent and sufficient evidence of a *bona fide* acquisition of the land applied for; that the claim for ownership in fee simple on the basis of Spanish title or grant can no longer be availed of by the applicant who have failed to file an appropriate application for registration within the period of six months from February 16, 1976, as required by P.D. No. 892; and that the parcel of land applied for is a portion of the public domain belonging to the Republic which is not subject to private appropriation.⁹

Meanwhile, the Land Registration Authority (LRA) submitted its Report¹⁰ dated March 18, 2003 before the MTC noting a discrepancy, pertinent portions of which read:

⁵ *Id.* at 53.

⁶ *Id.* at 39-42.

⁷ *Id.*

⁸ *Id.* at 47-48.

⁹ *Id.*

¹⁰ MTC records, p. 84.

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2. After plotting the afore-said plan in our Municipal Index Sheet thru its tie line, discrepancy was noted, which was referred to the Asst. Regional Executive Director For Operations, DENR, Lands Management Services, Region IV, L & S Bldg., 1515 Roxas Blvd., Manila, for verification and/or correction in a letter dated March 18, 2003; a copy is attached hereto as Annex "A";¹¹

In their Application, spouses Manzana offered the testimonies of three witnesses.

First, Sonia R. Manzana's testimony was offered to prove the material allegations in spouses Manzana's Application for original registration of the land subject of the case.¹²

Second, Jeriel B. Villanueva (Villanueva) testified that the property was originally owned by his mother, Caridad Bonifacio, who sold it to spouses Manzana in April 1990. Prior to the sale of the land, his mother was in peaceful possession of the property since nobody ever disturbed her possession. Moreover, according to Villanueva, who was 53 years old at the time of his testimony in 2004, he knew that the subject land belonged to his mother because even at the age of 7, he was already aware that there was a tenant, Cesario San Agustin, who used to bring them harvest.¹³

Lastly, Engineer Ricardo R. Nilo (Engr. Nilo) of the LRA was presented as spouses Manzana's last witness. His testimony was offered to prove that the records in the custody of the LRA were similar with those filed with the MTC; to compare the blueprint copy in the LRA's possession with the tracing cloth plan attached to the records of the Application; and to testify as to such other matters related to the Application.¹⁴

During his cross-examination, Engr. Nilo testified that being an examiner of the LRA, he examined all the documents attached to the records of the Application.¹⁵ He also declared that based on their examination, the subject land falls on a doubtful position since it falls somewhere else when it was plotted in the sky land.¹⁶ He clarified, however, that such doubtful position was only with respect to the adjoining lands, meaning it does not fall in the correct phase,¹⁷ viz.:

¹¹ *Id.*

¹² *Rollo*, p. 60.

¹³ *Id.*

¹⁴ *Id.*

¹⁵ *Id.*

¹⁶ *Id.*

¹⁷ TSN, Engr. Ricardo Nilo, April 6, 2005, pp. 4-5.

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Q: Did you make any findings with respect to your examination that you made?

A: Our findings based on examination that the subject mat[t]er falls on a doubtful position, our findings is that when it is plotted in the sky land, it falls somewhere, that is why we are requesting for the cadastral map for our reference.

Q: It falls somewhere, it is not tie up, it does not matched [sic] the land supplied in this case, is that what you mean?

A: No, sir.

Q: Can you explain that?

A: When is it in a doubtful position, **it is only with respect to the adjoining land** meaning that we plotted in the technical description, it falls somewhere not in the correct phase, that is why we[']re requesting for a cadastral map for our reference.

Q: You are requesting that from whom?

A: From the DENR.

Q: So, your finding is not yet final, is that what you mean?

A: Yes[,] sir.

Q: And therefore, by yourself and your office does not recommend the approval of this application because it does not yet conform to the cadastral survey that you still need, is that correct?

A: Yes, sir.¹⁸ (Emphasis supplied)

As such, the LRA, through a Letter¹⁹ dated March 18, 2003, requested the Department of Environment and Natural Resources (DENR) for the cadastral map to verify the alleged doubtful position of the subject property, to wit:

Sir:

In connection with the examination of the above-noted subject, please be informed that when plan Ap-04-013116, lot 5653, Psc-16, Morong Cadastre was plotted on our Municipal Index Sheet thru its tie line, it was found to be of doubtful position with respect to the plotting of plans Ap-04-000389, lot 5651 and Ap-04-002423, lot 5650 previously applied in LRC Record Nos. N-51286 and N-57108.

It is, therefore, requested that the above-mentioned discrepancy be verified and/or corrected and this Authority be furnished with a certified technical description of lot 5652, BL Case No. of subject lot 5653 in Psc-16, and print copy of Cadastral Map CM 14 deg. 31'N.121 deg. 14'E., Sec. 4 wherein lot 5653 is projected for our records and reference purposes.²⁰

¹⁸ *Id.*

¹⁹ MTC records, p. 85.

²⁰ *Id.*

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Accordingly, Engr. Nilo did not recommend the approval of the application as they were still waiting for the cadastral survey.²¹

Subsequently, the DENR issued a Reply²² dated May 26, 2003 addressed to the LRA stating that the subject land “is not in a doubtful position,” as follows:

Sir:

This pertains to your letter dated March 18, 2003 in connection with the above-noted subject. Please be informed that upon verification at this office, subject lot is not in doubtful position with respect to Lot 5651, 5650, Psc-16, Morong Cadastre. In view hereof, we are furnishing you herewith a reproduction copy of cadastral map showing thereon the relative geographic position.

Furnishing you also are certified lot data computation of Lots 5650, 5651 and 5652, Case 4, Psc-16, Morong Cadastre for your information, records are ready reference.²³

However, neither a copy of the cadastral map nor certified lot data computation of Lots 5650, 5651, and Case 4, Psc-16, Morong Cadastre was submitted to the MTC.²⁴

On May 10, 2006, Engr. Nilo’s testimony was again offered to prove that the DENR already furnished the LRA with a certification that the subject land was not in doubtful position with respect to Lots 5651 and 5650 Psc-16. He testified that due to DENR’s Letter-Reply dated May 26, 2003, the LRA found that the doubtful position remarks were already corrected. Hence, the property may be registered in the name of spouses Manzana.²⁵

Upon cross-examination, Engr. Nilo alleged that at the time of his first testimony, based on the submitted plans and due to lack of sufficient references, the first computation showed that the property was in a doubtful position with respect to the adjoining lands.²⁶ With the DENR Letter-Reply,

²¹ *Id.* at 165; *rollo*, p. 60.

²² *CA rollo*, p. 96.

²³ *Id.*

²⁴ *Rollo*, pp. 109, 160.

²⁵ *Id.* at 61; TSN, Engr. Ricardo Nilo, May 10, 2006, pp. 5–6.

Q: Just for clarification, when you say that the lot is in doubtful position, what do you mean?

A: It means the plotting of the subject lot is not located to the adjacent lots as per plan.

Q: It means that the property is existing although there is a doubtful position with respect to the adjacent lots?

A: Yes, sir.

Q: And with the issuance of the DENR of a certification that the lot is in doubtful position, what does it mean?

A: It means that when it plotted [sic] it falls from the right position.

Q: So, the subject property may now be registered in the name of the applicants?

A: Yes, sir.

²⁶ TSN, Engr. Ricardo Nilo, April 6, 2005, p. 4.

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another reference was added, hence, the LRA concluded that the property was not in a doubtful position.²⁷

A Report²⁸ was also submitted to the MTC by the Community Environment and Natural Resources Office (CENRO), Antipolo City of the DENR certifying that the subject land falls within the Alienable and Disposable zone, under Land Classification Map No. 639 per Project No. 16 certified released on March 11, 1927.

On May 21, 2008, the MTC received a Letter²⁹ dated April 25, 2008 from the LRA requesting the trial court to direct the applicants to submit to the Regional Technical Director, DENR-Region IV, copies of the plan and technical description of the property. Said office needed them for the "verification of status of the subject lots."³⁰ On May 22, 2008, the MTC, through the Clerk of Court, directed spouses Manzana to submit the requested documents to the DENR.³¹ Soon after, the MTC rendered its Decision.

The MTC Ruling

In a Decision³² dated June 25, 2008, the MTC ruled in favor of spouses Manzana, granting their application. It ruled as follows:

After a judicious evaluation of the records, the applicants has [sic] proven their valid claim of ownership and possession over the property identified as Lot 5653, Psc – 16, Morong Cadastre which has an area of TWO THOUSAND EIGHT HUNDRED FIFTEEN SQUARE METERS (2,815 sq.m.) more or less situated at Brgy. San Juan, Morong, Rizal and thereby declares and cofirms ownership in favor of the herein applicants DANTE and SONIA MANZANA and for the issuance of the corresponding Decree of Registration in their name by the Land Registration Authority (LRA) upon the finality of this DECISION to comply with Section 39 of P.D. 1529.³³

The OSG, on behalf of the Republic, appealed³⁴ the Decision before the CA.

²⁷ TSN, Engr. Ricardo Nilo, May 10, 2006, pp. 11–14.

²⁸ MTC records, p. 24.

²⁹ *Id.* at 253.

³⁰ *Id.*

³¹ *Id.* at 254.

³² *Rollo*, pp. 49–53.

³³ *Id.* at 53.

³⁴ *CA rollo*, p. 13.

The CA Ruling

In a Decision³⁵ dated June 28, 2010, the CA reversed and set aside the MTC ruling. The CA held that, although spouses Manzana were able to prove that the land was alienable and disposable by virtue of the DENR-Region IV, CENRO, Antipolo City Report indicating that the subject property fell within the alienable and disposable zone, under Land Classification Map No. 639 per Project No. 16 certified released on March 11, 1927,³⁶ they failed to prove that they have been in open, continuous, exclusive, and notorious possession and occupation of the property since June 12, 1945 as required by Section 14(1)³⁷ of P.D. No. 1529.³⁸ In this regard, the CA opined that neither can spouses Manzana rely on Section 14(2)³⁹ of the same law allowing for acquisitive prescription of patrimonial property since the subject land remains part of the public domain and is not of patrimonial character.⁴⁰ Furthermore, the CA held that the spouses Manzana failed to prove that their predecessor-in-interest was in open, continuous, exclusive, and notorious possession and occupation of the subject lot that would warrant the grant of their application under Section 14(2) of P.D. 1529.⁴¹ Lastly, the CA ruled that there was still the existence of doubt in the technical description of the property since the LRA still requested certain documents to be submitted to the DENR “to verify the status of the lot,” especially since this request was made subsequent to Engr. Nilo’s testimony that the property was no longer in a doubtful position. As such, the veracity of Engr. Nilo’s testimony and the DENR Letter dated May 26, 2003 was questionable. The MTC should have at least waited for the final verification made by the DENR instead of issuing the assailed Decision.⁴²

Aggrieved, spouses Manzana moved for reconsideration,⁴³ which was, however, denied in a Resolution⁴⁴ dated September 14, 2010; hence, this Petition.

³⁵ *Rollo*, pp. 56–70.

³⁶ *Id.* at 66.

³⁷ 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.

³⁸ *Rollo*, pp. 64–66.

³⁹ Section 14(2) of P.D. No. 1529 reads:

....

(2) Those who have acquired ownership of private lands by prescription under the provisions of existing laws.

⁴⁰ *Rollo*, pp. 67–68.

⁴¹ *Id.* at 68.

⁴² *Id.* at 69–70.

⁴³ *CA rollo*, pp. 116–131.

⁴⁴ *Rollo*, p. 7.

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The Issue Before the Court

The issue for the Court's resolution is whether the CA erred in reversing the MTC Decision dated June 25, 2008, effectively dismissing the Application for original registration under P.D. No. 1529 filed by spouses Manzana.

First, in support of the instant Petition, spouses Manzana contend that they have fulfilled the requirements mandated by Section 14(1) of P.D. No. 1529, arguing that their predecessor-in-interest has been in open, continuous, exclusive, and notorious possession of the subject property since June 12, 1945 or even earlier. They claim that the Tax Declaration No. 3358,⁴⁵ registered on December 20, 1948, for the year 1949, bears a notation at the back that "[t]his declaration cancels Tax No. 23772, previous owner; same name."⁴⁶ This notation indicated that prior to 1948, or at least five years before 1958 (since five years is the standard revision of tax declarations), the property was already declared in the name of the predecessor-in-interest.⁴⁷

Second, spouses Manzana maintain that if they did not prove their prior possession since June 12, 1945, they are still entitled to the registration of the property under their names since they and their predecessor-in-interest were in open, continuous, exclusive, and notorious possession and occupation of the subject lot in accordance with Section 14(2) of P.D. No. 1529.⁴⁸

Third, spouses Manzana also aver that there was no doubt in the technical description of the subject lot to cause the denial of the application.⁴⁹

Lastly, spouses Manzana claim that the OSG's direct filing of the appeal to the CA was erroneous. The appeal should have been filed before the Regional Trial Court (RTC).⁵⁰

Meanwhile, the OSG, on behalf of the Republic, first submits that spouses Manzana raised purely questions of fact in the instant Petition, which is not proper in a petition for review on *certiorari* before the Court.⁵¹

⁴⁵ CA rollo, p. 98.

⁴⁶ *Id.*

⁴⁷ Rollo, p. 20.

⁴⁸ *Id.* at 23.

⁴⁹ *Id.* at 27.

⁵⁰ *Id.* at 34.

⁵¹ *Id.* at 88-92.

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Moreover, the OSG argues that the CA correctly ruled that spouses Manzana failed to prove that they have fully complied with the requirements under the law necessary for the grant of their Application for registration.⁵²

The Court's Ruling

I.

First, spouses Manzana raised the question of whether it was proper for the OSG to appeal the MTC Decision directly to the CA. We hold in the affirmative.

As correctly ruled by the CA, the MTC rendered its appealed Decision in the exercise of its delegated jurisdiction in cadastral and land registration cases. Section 34 of the Judiciary Reorganization Act of 1980, as amended by Republic Act (R.A.) No. 7691,⁵³ provides that MTC decisions issued in the exercise of such jurisdiction *shall be appealable in the same manner as decisions of the Regional Trial Courts*.⁵⁴ Hence, the OSG correctly appealed the Decision before the CA.

Second, Rule 45, Section 1 of the Rules of Court states that petitions for review on *certiorari* “shall raise only questions of law which must be distinctly set forth.” As a general rule, the Court is not a trier of facts that undertakes to re-examine evidence presented by contending parties during trial.⁵⁵ Nonetheless, the Court has recognized several exceptions to the rule, including, *when the findings are contrary to those of the trial court*.⁵⁶ Here, the case falls under the exception in that the findings of the CA are contrary to those of the trial court.

Having resolved the aforesaid procedural issue, the Court now traverses the substantial merits of the case.

⁵² *Id.* at 92–93.

⁵³ Entitled, “An Act Expanding the Jurisdiction of the Metropolitan Trial Courts, Municipal Trial Courts, and Municipal Circuit Trial Courts, Amending for the Purpose Batas Pambansa, Blg. 129, Otherwise Known as the ‘Judiciary Reorganization Act of 1980,’” approved on March 25, 1994.

⁵⁴ Sec. 34. *Delegated Jurisdiction in Cadastral and Land Registration Cases*. — Metropolitan Trial Courts, Municipal Trial Courts, and Municipal Circuit Trial Courts may be assigned by the Supreme Court to hear and determine cadastral or land registration cases covering lots where there is no controversy or opposition, or contested lots where the value of which does not exceed One hundred thousand pesos (P100,000.00), such value to be ascertained by the affidavit of the claimant or by agreement of the respective claimants if there are more than one, or from the corresponding tax declaration of the real property. *Their decisions in these cases shall be appealable in the same manner as decisions of the Regional Trial Courts.* (Emphasis supplied)

⁵⁵ *Locsin v. Hizon*, 743 Phil. 420, 428 (2014) [Per J. Velasco, Jr., Third Division].

⁵⁶ *Angeles v. Pascual*, 673 Phil. 499, 506 (2011) [Per J. Bersamin, First Division].

II.

It is settled in jurisprudence that for an application for registration of property to be granted under Section 14(1) of P.D. No. 1529, the applicant must prove that: (1) the land forms part of the alienable and disposable land of the public domain; and (2) it, by itself or through its predecessors-in-interest, had been in open, continuous, exclusive, and notorious possession and occupation of the subject land under a *bona fide* claim of ownership from June 12, 1945 or earlier.⁵⁷

However, while this case was pending before us, R.A. No. 11573⁵⁸ was signed into law and took effect on September 1, 2021. Section 6 of R.A. No. 11573,⁵⁹ amending Section 14 of P.D. No. 1529, shortened the period of possession from “June 12, 1945 or earlier” to “at least twenty (20) years immediately preceding the filing of the application for confirmation of title.” In addition, Section 7⁶⁰ of R.A. No. 11573, which prescribed the required

⁵⁷ *Republic v. Herederos de Ciriaco Chunaco Disteleria Incorporada*, 888 Phil. 64, 78. (2020) [Per J. Hernando, Second Division].

⁵⁸ Entitled, “An Act Improving the Confirmation Process for Imperfect Land Titles, Amending for the Purpose Commonwealth Act No. 141, as Amended, Otherwise Known as ‘The Public Land Act,’ and Presidential Decree No. 1529, as Amended, Otherwise Known as the ‘Property Registration Decree,’” approved on July 16, 2021.

⁵⁹ SECTION 6. Section 14 of Presidential Decree No. 1529 is hereby amended to read as follows:

“SEC. 14. *Who may apply.* — The following persons may file at any time, in the proper Regional Trial Court in the province where the land is located, an application for registration of title to land, not exceeding twelve (12) hectares, 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 not covered by existing certificates of title or patents under a *bona fide* claim of ownership for at least twenty (20) years immediately preceding the filing of the application for confirmation of title except when prevented by war or *force majeure*. They shall be conclusively presumed to have performed all the conditions essential to a Government grant and shall be entitled to a certificate of title under this section.

“(2) Those who have acquired ownership of private lands or abandoned riverbeds by right of accession or accretion under the provisions of existing laws.

“(3) Those who have acquired ownership of land in any other manner provided for by law.

“Where the land is owned in common, all the co-owners shall file the application jointly.

“Where the land has been sold under *pacto de retro*, the vendor *a retro* may file an application for the original registration of the land: *Provided, however*, That should the period for redemption expire during the pendency of the registration proceedings and ownership to the property consolidated in the vendee *a retro*, the latter shall be substituted for the applicant and may continue the proceedings.

“A trustee on behalf of the principal may apply for original registration of any land held in trust by the trustee, unless prohibited by the instrument creating the trust.”

⁶⁰ SECTION 7. *Proof that the Land is Alienable and Disposable.* — For purposes of judicial confirmation of imperfect titles filed under Presidential Decree No. 1529, a duly signed certification by a duly designated DENR geodetic engineer that the land is part of alienable and disposable agricultural lands of the public domain is sufficient proof that the land is alienable. Said

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proof of land classification status, now provides that a duly signed certification by a duly designated DENR geodetic engineer that the land is part of alienable and disposable agricultural lands of the public domain is sufficient proof that the land is alienable.

Notably, in *Republic v. Pasig Rizal Co., Inc.*,⁶¹ the Court *En Banc* declared R.A. No. 11573, particularly Sections 6 and 7 thereof, to have retroactive effect and covers application for land registration pending as of September 1, 2021 or when the law took effect. The Court reasoned that R.A. No. 11573 is curative in nature as its declared purpose is “to simplify, update and harmonize similar and related provisions of land laws in order to simplify and remove ambiguity in its interpretation and implementation.” Moreover, by shortening the period of adverse possession required for confirmation of title to twenty (20) years prior to filing . . . the amendment implemented through Section 6 of R.A. 11573 effectively created a new right in favor of those who have been in possession of alienable and disposable land for the shortened period provided.”⁶²

In the same case, the Court also laid down the guidelines on the application of R.A. No. 11573, to wit:

1. RA 11573 shall apply retroactively to all applications for judicial confirmation of title which remain pending as of September 1, 2021, or the date when RA 11573 took effect. These include all applications pending resolution at the first instance before all Regional Trial Courts, and applications pending appeal before the Court of Appeals.
2. Applications for judicial confirmation of title filed on the basis of the old Section 14(1) and 14(2) of PD 1529 and which remain pending before the Regional Trial Court or Court of Appeals as of September 1, 2021 shall be resolved following the period and manner of possession required under the *new* Section 14(1). Thus, beginning September 1, 2021, proof of “open, continuous, exclusive and notorious possession and occupation of alienable and disposable lands of the public domain not covered by existing certificates of title or patents under a *bona fide* claim of ownership for at least twenty (20) years immediately preceding

certification shall be imprinted in the approved survey plan submitted by the applicant in the land registration court. The imprinted certification in the plan shall contain a sworn statement by the geodetic engineer that the land is within the alienable and disposable lands of the public domain and shall state the applicable Forestry Administrative Order, DENR Administrative Order, Executive Order, Proclamations and the Land Classification Project Map Number covering the subject land.

Should there be no available copy of the Forestry Administrative Order, Executive Order or Proclamation, it is sufficient that the Land Classification (LC) Map Number, Project Number, and date of release indicated in the land classification map be stated in the sworn statement declaring that said land classification map is existing in the inventory of LC Map records of the National Mapping and Resource Information Authority (NAMRIA) and is being used by the DENR as land classification map.

⁶¹ G.R. No. 213207, February 15, 2022 [Per J. Caguioa, *En Banc*].

⁶² *Id.*

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the filing of the application for confirmation” shall be sufficient for purposes of judicial confirmation of title, and shall entitle the applicant to a decree of registration.

3. In the interest of substantial justice, the Regional Trial Courts and Court of Appeals are hereby directed, upon proper motion or *motu proprio*, to permit the presentation of additional evidence on land classification status based on the parameters set forth in Section 7 of RA 11573.
 - a. Such additional evidence shall consist of a certification issued by the DENR geodetic engineer which (i) states that the land subject of the application for registration has been classified as alienable and disposable land of the public domain; (ii) bears reference to the applicable Forestry Administrative Order, DENR Administrative Order, Executive Order, or proclamation classifying the land as such; and (iii) indicates the number of the LC Map covering the land.
 - b. In the absence of a copy of the relevant issuance classifying the land as alienable and disposable, the certification must additionally state (i) the release date of the LC Map; and (ii) the Project Number. Further, the certification must confirm that the LC Map forms part of the records of NAMRIA and is precisely being used by the DENR as a land classification map.
 - c. The DENR geodetic engineer must be presented as witness for proper authentication of the certification in accordance with the Rules of Court.⁶³

The guidelines seem to limit its application to the RTC and the CA. However, taking into consideration the curative nature of R.A. No. 11573, the Court takes this opportunity to clarify that cases pending before the *Metropolitan Trial Courts, Municipal Trial Courts, and Municipal Circuit Trial Courts who have delegated jurisdiction to handle cadastral and land registration* cases as provided in R.A. No. 7691 amending Section 34 of BP Blg. 129 and those pending *before this Court are also included in these guidelines*.⁶⁴

III.

With the foregoing, the Court intends to resolve this case using R.A. No. 11573 and the *Pasig Rizal* guidelines.

First, the rule that an applicant for an original registration of title must possess the property since June 12, 1945 or earlier, which was the basis for

⁶³ *Id.*

⁶⁴ See R.A. No. 7691 and Batas Pambansa Blg. 129.

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the CA's denial, is already of no moment. What is now controlling is that the applicant must possess the property in accordance with the new Section 14(1) of P.D. No. 1529 for at least 20 years immediately preceding the filing of the application for confirmation.⁶⁵

Second, however, it is unclear whether 20 years have already accrued on spouses Manzana's favor since no categorical finding of such fact was made before the trial court.

Third, the court of origin must be given a chance to receive additional evidence considering that the CENRO Report, originally submitted by spouses Manzana, is insufficient to determine the land classification status of the subject property, and that it even resolved the case without waiting for the requested documents to be submitted to the DENR, particularly, the copies of plan and technical description of subject lots for verification of the status of the property.

In light of the foregoing observations—and bearing in mind that R.A. No. 11573 is curative in nature and may be retroactively applied as stated in *Pasig Rizal*—the Court finds it appropriate to remand this case to the court of origin for reception of additional evidence that would determine among others, whether or not the 20-year requirement has been complied with, and whether or not spouses Manzana are entitled to the land based on the land classification status, and technical description. Notably, the remand of this case to the trial court adheres to the principle of judicial economy, which advocates that cases should be prosecuted “with the least cost to the parties’ and to the courts’ time, effort, and resources.”⁶⁶

ACCORDINGLY, the Petition is **PARTLY GRANTED**. The Decision dated June 28, 2010 and the Resolution dated September 14, 2010 of the Court of Appeals in CA-G.R. CV No. 91813 are **SET ASIDE**. The case is hereby **REMANDED** to the court of origin for further proceedings in accordance with this Decision, **WITH DISPATCH**.

SO ORDERED.


ANTONIO T. KHO, JR.

Associate Justice


⁶⁵ *Republic v. Pasig Rizal Co., Inc.*, G.R. No. 213207, February 15, 2022 [Per J. Caguioa, *En Banc*].

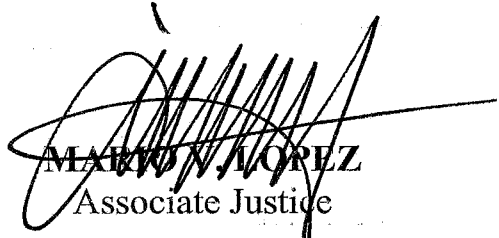
⁶⁶ *Dr. Malixi v. Dr. Baltazar*, 821 Phil. 423, 452 (2017) [Per J. Leonen, Third Division].

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WE CONCUR:

On official business
MARVIC M.V.F. LEONEN
Senior Associate Justice



AMY C. LAZARO-JAVIER
Associate Justice
Acting Chairperson


MARITO N. LOPEZ
Associate Justice


JHOSEP LOPEZ
Associate Justice

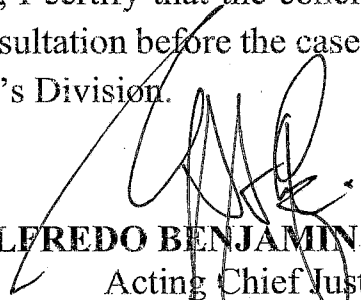
ATTESTATION

I attest that the conclusions in the above Decision had been reached in consultation before the case was assigned to the writer of the opinion of the Court's Division.


AMY C. LAZARO-JAVIER
Associate Justice
Acting Chairperson

CERTIFICATION

Pursuant to Article VIII, Section 13 of the Constitution and the Division Acting Chairperson's Attestation, I certify that the conclusions in the above Decision had been reached in consultation before the case was assigned to the writer of the opinion of the Court's Division.


ALFREDO BENJAMIN S. CAGUIOA
Acting Chief Justice
Per Special Order No. 3045 dated November 3, 2023

