



REPUBLIC OF THE PHILIPPINES
SUPREME COURT
Manila

SECOND DIVISION

NOTICE

Sirs/Mesdames:

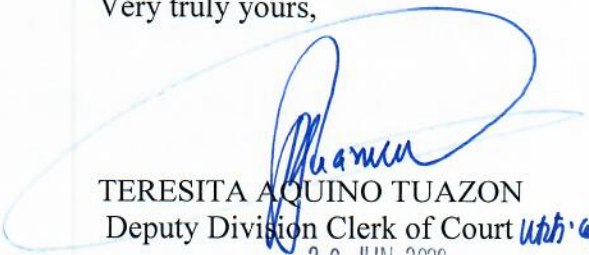
*Please take notice that the Court, Second Division, issued a Resolution dated **10 February 2020** which reads as follows:*

“**G.R. No. 250448 (Maria Regina T. Abellanosa v. Bong Tupas a.k.a. ‘Rosemarie Tupas’)**. – After a judicious study of the case, the Court resolves to **DENY** the instant petition¹ and **AFFIRM** the May 21, 2019 Amended Decision² and the November 8, 2019 Resolution³ of the Court of Appeals (CA) in CA-G.R. SP No. 136519 for failure of petitioner Maria Regina T. Abellanosa (petitioner) to sufficiently show that the CA committed any reversible error in declaring the December 10, 2013 Decision⁴ of the Regional Trial Court of San Juan City, Branch 264 (RTC) as void for want of jurisdiction.

As correctly ruled by the CA, respondent Bong Tupas a.k.a. “Rosemarie Tupas” was able to prove that the original copy of the Owner’s Duplicate Copy of Transfer Certificate of Title No. 273249 was not lost, but is in fact, in her custody.⁵ As such, the CA properly annulled the RTC Decision, as well as the subsequent title issued in favor of petitioner by virtue thereof, for want of jurisdiction. Settled is the rule that when the owner’s duplicate certificate of title was not actually lost or destroyed, but is in fact in the possession of another person, the reconstituted title is void because the court that rendered the order of reconstitution had no jurisdiction over the subject matter of the case,⁶ as in this case.

SO ORDERED.”

Very truly yours,


TERESITA AQUINO TUAZON
Deputy Division Clerk of Court *Utah 6/29*
29 JUN 2020

¹ Rollo, pp. 8-18.

² Id. at 25-36. Penned by Associate Justice Maria Elisa Sempio Diy with Associate Justices Mariflor P. Punzalan Castillo and Marlene B. Gonzales-Sison, concurring.

³ Id. at 37-39.

⁴ Id. at 54-57. Penned by Judge Leoncio M. Janolo, Jr.

⁵ See id. at 33.

⁶ *Sebastian v. Spouses Cruz*, 807 Phil. 738, 744-745 (2017).

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San Juan City
(LRC Case No. 7929-SJ)

JUDGMENT DIVISION (x)
Supreme Court, Manila

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Please notify the Court of any change in your address.
GR250448. 2/10/2020(256)URES 10/28