

[ADMINISTRATIVE ORDER NO. 34, February 04, 1993]

IMPOSING A FINE ON ELENITA E. CORPUZ, REGISTER OF DEEDS OF BULACAN

This refers to the administrative complaint filed by Carmelita Areno against Atty. Elenita E. Corpuz, Register of Deeds of Bulacan, for Negligence and Violation of LRC Circular No. 182, dated October 1968.

In his letter of July 30, 1992, the Justice Secretary, in relation to the above-complaint, submitted his report and recommendation, which reads:

“Briefly, the facts of the case are as follows:

1. On 12 January 1987, in the Branch Registry of Deeds in Meycauayan, Bulacan, then Deputy Register of Deeds Violeta Lincallo-Garcia registered a ‘Bilihang Tuluyan ng Bahagi ng Isang Sukat ng Lupang Bakuran’ executed by spouses Renato Alcala and Josefina Areno on 30 November 1986 in favor of Rosa Maria Areno. The document was annotated at the back of OCT No. 0-4(M) in the name of Rosa Areno and spouses Renato Alcala and Josefina Areno Alcala, as Entry No. 190974(M).
2. On 8 April 1987, Respondent Elenita E. Corpuz, who assumed the duties of Register of Deeds of the said Branch for the period April 1987 to 4 August 1987, registered a ‘Kasulatan ng Kasunduan sa Paghahati-Hati ng Isang Sukat ng Lupang Bakuran na may Pagwawaksi’ executed by the Heirs of Conrado Areno on 11 August 1986. On the basis of this document, purportedly acknowledged before Notary Public Amador M. Mirasol of Hagonoy, Bulacan on 11 August 1986. Respondent cancelled OCT No. P-656(M) in the names of the Heirs of Conrado Areno. In lieu thereof, she issued TCT Nos. T-2125 to T-7129, inclusive, the owner’s duplicates by presentor Dionisio Ignacio on 23 April 1987. The document registered by Respondent contained unauthenticated erasures and/or alterations at the portion of the notarized acknowledgment. Upon verification, the document was previously acknowledged before Notary Public Anastacio Marcelo on 11 August 1986 as Doc. No. 234, Page No. 47 and Book No. I, Series of 1986.
3. In a letter dated 10 December 1987, Ms. Carmelita Areno complained about the alleged inaction by said Branch on her request dated 29 June 1987 for the issuance of Certified true copies of OCT Nos. 0-4(M) and P-656(M); and the anomalies

registration of an allegedly tampered document. She charged that despite the erasures and alterations in the documents, Respondent cancelled OCT No. P-656 (M) and issued new titles in its stead.

4. After a factual investigation, LRA Administrator Teodoro Bonifacio, in a letter dated 7 July 1988, directed Respondent to show cause why no administrative disciplinary action should be taken against her for Negligence and for violation of LRC Circular No. 182.

"In her sworn answer dated 18 July 1988, Respondent states that as Register of Deeds, she is not 'empowered to determine the validity or authenticity' of documents presented for registration; that the 'seeming erasures in the acknowledgment portion of the kasulatan (were) inconsequential insofar as the rights and interests of the parties to the deed of partition (are) concerned'; that the 'forum within which to challenge the efficacy of the kasulatan will be in court, because the respondent's duty under the circumstances is purely ministerial'. Further, she averred that she acted promptly on the request of Complainant; that she advised Complainant to wait and to give Robert Bartlett ample time to locate the missing title; and that the delay was occasioned by extreme pressure of work and excusable under LTC Circular No. 182.

"The LRA Administrator finds Respondent guilty only of violation of LRC Circular No. 182 and recommends the imposition of fine equivalent to her two (2) months' salary with an admonition to exercise prudence in registering documents with erasures by means of a thorough verification and examination to avert a repetition of the same or similar incident in the future.

"LRC Circular No. 182 dated 31 October 1965 provides, as follows:

'One of the primary concerns of this Commission is to have all papers submitted or coursed to it acted upon promptly x x x all concerned are hereby directed to dispatch within twenty-four (24) hours or at most seventy-two (72) hours from receipt thereof all official papers assigned or referred to them for actions x x x.'

"We believe that Respondent should not be held liable for violation of the aforesaid circular. The Record shows that on 30 June 1987 when complainant first made her request, Respondent called the attention of the vaultkeeper, Robert Bartlett who had custody of the titles. Mr. Bartlett explained that the titles could not be located at the moment, and besides there were others who came ahead of Complainant, hence, he was unable to attend to her immediately. At this point, Complainant allegedly left the Office in an angry manner, threatening to report the matter to a 'certain judge of the Sandiganbayan', prompting Respondent to make an official record of the incident.

"We find that the alleged delay in the issuance of the certificate was not attributable to Respondent. As the supervisor of Mr. Bartlett, she had performed her duty by calling the vaultkeeper's attention when