

[ADMINISTRATIVE ORDER NO. 70, November 01, 1954]

CONSIDERING AS RESIGNED REGISTER OF DEEDS HIPOLITO BUENDIA OF BULACAN.

This is an administrative case against Register of Deeds Hipolito Buendia of Bulacan for allegedly accepting for registration deeds of conveyance of real property without requiring the presentation of evidence of payment of realty taxes thereon and the submission of sufficient copies of said instruments as required under existing laws.

It appears that on August 18, 1950, respondent Register of Deeds cancelled Transfer Certificate of Title (TCT) No. T-2599 in the name of Concepcion R. Lim de Planas, covering properties situated in Norzagaray, Bulacan, and issued in lieu thereof TCT No. T-5907 in favor of Bienvenido Angeles and others, without first requiring the submission of evidence showing that the properties involved were not delinquent in the payment of real estate taxes as required by Republic Act. No. 456; and that on March 6, 1954, the respondent cancelled TCT No. T-5907 and issued in its stead TCT No. T-12215 in favor of Carmen Planas and others upon the presentation of official receipt No. U-782587 as evidence of supposed payment of realty taxes on the properties in question. However, it turned out that said official receipt was for payment of taxes due on other properties of Carmen Planas located in San Jose del Monte, Bulacan.

In his defense respondent states he was not aware of the provisions of Republic Act No. 456 which was approved only on June 8, 1950, and that he did not examine the official receipt and simply relied on the assurance of Atty. Teofilo Mendoza, Jr., who was interested in the issuance of TCT No. T-12215 in lieu of TCT No. T-5907, just as he relied on the similar assurance of the parties concerned that they had already delivered the prescribed copies of the deeds to the provincial assessor.

Respondent's explanation is not satisfactory. He is presumed to know the law and hence may not claim ignorance of the provisions thereof. At any rate, he cannot escape responsibility for gross negligence in not taking the routine trouble of reading official receipt No. U-782587 which on its face clearly showed that it referred to other properties. He was likewise grossly negligent in accepting deeds of conveyance for registration without requiring the parties concerned to furnish extra copies which, pursuant to the Assessment Law (Com. Act No. 470), he was under obligation to transmit to the provincial assessor, and relying merely on the assurance of the parties that they had already delivered the prescribed copies to the latter official.

In view of the foregoing, and it appearing that the respondent is not a member of the Bar, whereas Bulacan is a big and important province, I am constrained to relieve him from his post in the interest of the public service in order to give way to a more qualified person.