

SECOND DIVISION

[G.R. No. 187291, December 05, 2016]

PRESIDENTIAL DECREE NO. 1271 COMMITTEE, THE SECRETARY OF JUSTICE, IN HIS CAPACITY AS CHAIR OF THE COMMITTEE, THE SOLICITOR GENERAL, IN HIS CAPACITY AS A MEMBER OF THE COMMITTEE, AND BENEDICTO ULEP, IN HIS CAPACITY AS THE ADMINISTRATOR OF THE LAND REGISTRATION AUTHORITY, PETITIONERS, VS. GLORIA RODRIGUEZ DE GUZMAN, REPRESENTED BY HER ATTORNEY-IN-FACT, LORENZO MA. G. AGUILAR, RESPONDENT.

[G.R. NO. 187334]

GLORIA RODRIGUEZ DE GUZMAN, REPRESENTED BY HER ATTORNEY-IN-FACT, LORENZO MA. G. AGUILAR, PETITIONER, VS. PRESIDENTIAL DECREE NO. 1271 COMMITTEE, RAUL M. GONZALES, IN HIS CAPACITY AS SECRETARY OF JUSTICE, ANTONIO B. NACHURA, IN HIS CAPACITY AS SOLICITOR GENERAL, BENEDICTO B. ULEP, IN HIS CAPACITY AS ADMINISTRATOR OF THE LAND REGISTRATION AUTHORITY, AND JUANITO K. AMPAGUEY, IN HIS CAPACITY AS REGISTRAR OF DEEDS OF BAGUIO CITY, RESPONDENTS.

DECISION

LEONEN, J.:

Land registration cases that only resolve the propriety of the results of a resurvey of Baguio City properties do not bar a subsequent declaration of the nullity of the titles on account of *Republic v. Marcos*^[1] and Presidential Decree No. 1271.

These consolidated cases concern the validation of certain properties under Presidential Decree No. 1271, which declared null and void all orders and decisions decreeing lands within the Baguio Townsite Reservation in favor of private parties by virtue of the reopening of Civil Reservation Case No. 1, G.L.R.O. Rec. No. 211.

These Petitions for Review assail the Amended Decision^[2] dated March 26, 2009 of the Court of Appeals, which validated several transfer certificates of title that had been disallowed validation by the Baguio Validation Committee.

The Baguio Validation Committee, the Secretary of Justice (in his capacity as Chair of the Committee), the Solicitor General (in his capacity as a member of the Committee), and Benedicto Ulep (in his capacity as the Administrator of the Land Registration Authority) jointly filed the first Petition docketed as G.R. No. 187291.^[3] Gloria Rodriguez de Guzman filed the second Petition, which was docketed as G.R. No. 187334.^[4]

On February 11, 1903, Act No. 636^[5] was enacted to provide for the allotment of property as a government reservation in Baguio, Benguet:

SECTION 1. Pending the plotting of a town site at Baguio and the setting aside of a tract of land as a military reservation, the following described tract of land shall be reserved for Government purposes, exempt from settlement and claim: That parcel or tract of land in the form of a circle with its center in the house occupied by Mateo Cariño at Baguio, and with a radius of one kilometer; and also a strip of land one and one-half kilometers wide on the easterly side, and one kilometer wide on the westerly side of the Government road as now located, beginning at a point 'on the Government road due east of the civil sanitarium, and extending southeasterly along said road for a distance of four kilometers: *Provided*, That nothing in this section shall apply to private lands held under lawful title within the above-described area.

The Governor of the Province of Benguet was tasked to prevent any person from settling on public lands within the allotted area until they are opened up for sale and settlement by later legislation.^[6] However, the reservation did not apply to private lands held under lawful title within the allotted area.^[7]

On April 12, 1912 the Director of Lands filed a case before the Court of First Instance of Benguet for the settlement and adjudication of claims to private lands in the Baguio Townsite Reservation. The case was docketed as Civil Reservation Case No. 1, G.L.R.O. Rec. No. 211.^[8]

On November 13, 1922, the Court of First Instance of Benguet decreed as public properties all lands, buildings, and real rights within the Baguio Townsite Reservation, with the exception of areas inside established reservations and lands adjudicated to private claimants named in these reservations.^[9] All other private claims not pursued in the Civil Reservation Case No. 1, G.L.R.O. Rec. No. 211 were barred forever.^[10]

Later, several interested parties filed a Petition before the Court of First Instance of Baguio and Benguet to reopen Civil Reservation Case No. 1, G.L.R.O. Rec. No. 211. These parties invoked Republic Act No. 931, which authorized the reopening of cadastral cases up to December 31, 1968 involving lands previously declared public by the court.^[11]

The Court of First Instance of Baguio and Benguet granted the Petition to reopen Civil Reservation Case No. 1, G.L.R.O. Rec. No. 211. Parcels of land located within the Baguio Townsite Reservation were then awarded to private parties.^[12] These parcels of land were transferred to third parties who had since secured titles to the lands.^[13]

The Republic of the Philippines questioned the reopening of Civil Reservation Case No. 1, G.L.R.O. Rec. No. 211 in court. On July 31, 1973, this Court in *Republic v.*

Marcos ^[14] held that all titles issued as a result of the reopening of Civil Reservation Case No. 1, G.L.R.O Rec. No. 211 were null and void.^[15] This Court found that Civil Reservation Case No. 1, G.L.R.O Rec. No. 211 was not a cadastral proceeding as contemplated under Act No. 931, and the lands in question could not be registered, as they were part of a duly established military camp or reservation.^[16]

As several parcels of land had already been transferred to third parties, Former President Ferdinand Marcos issued Presidential Decree No. 1271 on December 22, 1977 to provide for those who acted in good faith, mistakenly relied on the indefeasibility of Torrens certificates of titles, and introduced substantial improvements on the lands covered by the certificates.^[17]

Presidential Decree No. 1271 reiterated the nullity of the titles issued in relation to the reopening of the Civil Reservation Case No. 1, G.L.R.O Rec. No. 211. However, it provided that innocent third parties could have their properties validated upon compliance with the following conditions:

Section 1. All orders and decisions issued by the Court of First Instance of Baguio and Benguet in connection with the proceedings for the reopening of Civil Reservation Case No. 1, GLRO Record No. 211, covering lands within the Baguio Townsite Reservation, and decreeing such lands in favor of private individuals or entities, are hereby declared null and void and without force and effect; PROVIDED, HOWEVER, that all certificates of titles issued on or before July 31, 1973 shall be considered valid and the lands covered by them shall be deemed to have been conveyed in fee simple to the registered owners upon a showing of, and compliance with, the following conditions:

- a. The lands covered by the titles are not within any government, public or quasi-public reservation, forest, military or otherwise, as certified by appropriating government agencies;
- b. Payment by the present title holder to the Republic of the Philippines of an amount equivalent to fifteen per centum (15%) of the assessed value of the land whose title is voided as of revision period 1973 (P.D. 76), the amount payable as follows: Within ninety (90) days of the effectivity of this Decree, the holders of the titles affected shall manifest their desire, to avail of the benefits of this provision and shall pay ten per centum (10%) of the above amount and the balance in two equal installments, the first installment to be paid within the first year of the effectivity of this Decree and the second installment within a year thereafter.

The governing body tasked to implement the provisions of Presidential Decree No. 1271 is the Presidential Decree No. 1271 Committee (Baguio Validation Committee). It is composed of the Secretary of Justice as Chair and the Solicitor General and the Director of the Land Management Bureau as members.^[18]

Among the titles issued under Civil Reservation Case No. 1, G.L.R.O Rec. No. 211 were Original Certificates of Title Nos. 123 and 128.^[19]

In December 1967, before this Court's ruling in *Marcos*, Gloria Rodriguez De Guzman (Rodriguez) acquired the properties derived from Original Certificates of Title Nos. 123 and 128. The Register of Deeds of Baguio issued a total of nine (9) Transfer Certificates of Title to Rodriguez, as follows:

(a) Transfer Certificates of Title Nos. T-12826 and T-12827, for the properties covered by Original Certificate of Title No. 123;^[20]

(b) Transfer Certificates of Title Nos. T-12828, T-12829, T-12830, T-12831, and T-12832, for the properties covered by Original Certificate of Title No. 128;^[21] and

(c) Transfer Certificates of Title Nos. T-12824 and T-12825.^[22]

Original Certificates of Title Nos. 123 and 128, being among the titles issued under the reopening of Civil Reservation Case No. 1, G.L.R.O Rec. No. 211, was declared null and void in *Marcos* and by Presidential Decree No. 1271.^[23]

Consequently, on February 5, 1987, Rodriguez filed separate applications for validation for seven (7) of her titles: T-12826, T-12827, T-12828, T-12829, T-12830, T-12831, and T-12832.^[24] The applications for validation were docketed thus:

Original Certificate of Title	Transfer Certificate of Title in Rodriguez's name	Application for Validation
OCT No. 123	T-12826	VA(B) No. 6590
	T-12827	VA(B) No. 6591
OCT No. 128	T-12828	VA(B) No. 6592
	T-12829	VA(B) No. 4758
	T-12830	VA(B) No. 6593
	T-12831	VA(B) No. 6594
	T-12832	VA(B) No. 6595 ^[25]

On September 24, 1991, pending her applications for validation, Rodriguez filed before the Regional Trial Court of Baguio City a Petition seeking to correct the caption of Resurvey Subdivision Plan (LRC) No. RS-288-D and the technical descriptions of TCT Nos. T-12828, T-12829, T-12830, T-12831, and T-12832 to conform to the resurvey plan.^[26] This was docketed as **LRC Case No. 445-R.**^[27]

The Office of the Solicitor General opposed the Petition and alleged that there was an increase in the area of the subdivided lots covered by the Transfer Certificates of Title.^[28] On July 23, 1996, the Regional Trial Court granted Rodriguez's Petition on the basis of Sections 48^[29] and 108^[30] of Presidential Decree No. 1529, otherwise known as the Property Registration Decree:

The opposition filed by the Office of the Solicitor General challenging the validity of the subject titles is in effect an attempt to reopen the decree

of registration which Section 108 of PD 1529 categorically disallows. Moreover, the opposition of the Solicitor General is a collateral attack against a certificate of title which is also disallowed under Section 48 of P.D. 1529, which provides:

"SEC. 48. Certificate not subject to collateral attack. – A certificate of title shall not be subject to collateral attack. It cannot be altered, modified, or cancelled except in a direct proceeding in accordance with law."

Thus, in *Magay vs. Estiandanan*, 69 SCRA 456, the Supreme Court held:

"It is well-settled that a Torrens title cannot be collaterally attacked. The issue on the validity of the title can only be raised in an action expressly instituted for that purpose." (citing *Legarda and Prieto vs. Saleeby*, 31 Phil. 590; *Director of Lands vs. Gan Tan*, 89 Phil. 184; *Hederson vs. Garrido*, 90 Phil. 624; *Samonte, et al., vs. Sambilon, et al.*, 107 Phil. 189).

Moreover, petitioner should be accorded presumption that the Commissioner of Land Registration had complied with his official duties in accordance with law. The competence of the Commissioner of Land Registration to approve and disapprove survey plans, including consolidation and subdivision surveys has not been refuted and challenged. Before a consolidation or subdivision survey is conducted by geodetic engineer or before the survey is approved by competent authority, there must be proof that the party in whose behalf the survey is to be conducted is the owner of the property or has valid authority to grant permission for the survey. In the instant case, it is presumed that before the Commissioner of Land Registration approved the consolidation and subdivision survey as plan (LRC) RS-288-D, there was sufficient and existing proof submitted by petitioner of her ownership of the land.^[31]

On January 10, 2002, a certain Corazon Delizo and Consuelo Delizo requested the Land Registration Authority to investigate Rodriguez's Transfer Certificates of Title Nos. T-12826 and T-12827 for being issued irregularly.^[32] The Land Registration Authority docketed the request as Task Force *Titulong Malinis* (TM) No. 02-001.^[33]

On September 26, 2002, Rodriguez's applications for validation of Transfer Certificates of Title Nos. T-12828, T-12829, T-12830, T-12831, and T-12832 were forwarded to the Baguio validation Committee by the Community Environment and Natural Resources Office of the Department of Environment and Natural Resources.^[34]

On September 27, 2002, the Land Registration Authority Task Force *Titulong Malinis* found that there was an expansion of the land area covered by Rodriguez's Transfer