

## SECOND DIVISION

[ G.R. No. 184371, March 05, 2014 ]

**SPOUSES MARIO AND JULIA CAMPOS, PETITIONERS, VS.  
REPUBLIC OF THE PHILIPPINES, RESPONDENT.**

### DECISION

**BRION, J.:**

Before this Court is a petition for review on *certiorari*<sup>[1]</sup> assailing the April 30, 2007 decision<sup>[2]</sup> and August 22, 2008 resolution<sup>[3]</sup> of the Court of Appeals (CA) in CA-G.R. CV No. 84620. The CA reversed and set aside the December 29, 2004 decision<sup>[4]</sup> of the Municipal Trial Court (MTC) Bauang, La Union in LRC Case No. 80-MTC, BgLU, which approved the application of registration of title of Lot No. 3876, Cad-474-D, Case 17, Bauang Cadastre, filed by the spouses Mario and Julia Campos (*petitioners*).

#### Facts

On November 17, 2003, the petitioners applied for the registration of a 6,904 square meter-parcel of land situated in Baccuit, Bauang, La Union, particularly described as Lot No. 3876, Cad-474-D, Case 17, Bauang Cadastre. The petitioners bought the subject land from Roberto Laigo, as evidenced by a Deed of Absolute Sale executed by the parties on July 26, 1990.

In support of their application, the petitioners presented, among others, the following evidence: (1) testimony of petitioner Mario Campos; (2) testimony of adjoining lot-owner, Leopoldo Subang; (3) Linen cloth of Lot 3876 of AP-1-002221, Cad-474-D; (4) Original technical description of the lot; (5) Certificate of Assessment; (6) Deed of Absolute Sale dated July 26, 1990; (7) Certified true copies of Tax declarations for the years 1948 and 1953 in the name of Margarita Laigo, the mother of Roberto Laigo; (8) Certified true copies of Tax declarations for the years 1970, 1974, 1980, 1985 and 1987 in the name of Roberto Laigo; (9) Certified true copies of Tax declarations for the years 1990, 1994, 1995 and 1998 in the names of the petitioners; (10) Tax receipts for the years 1991-1994, 1999-2000, 2001-2002, 2003 and 2004; and (11) Certification from the DENR-CENRO that Lot 3876 falls within the alienable or disposable land of the public domain.<sup>[5]</sup>

Only the Republic filed a formal opposition to the petitioners' application, which the MTC later dismissed due to the Republic's failure to present testimonial or documentary evidence to substantiate its grounds for objection.<sup>[6]</sup>

On December 29, 2004, the MTC rendered a decision granting the petitioners'

application for registration, stating that:

Based on the evidences presented, it is appearing that the applicants have established a satisfactory proof that they have a registrable title over the property subject of these proceedings, they, being qualified to own that land being Filipino citizens, it being established also that their possession and that of their predecessor-in-interest of the parcel of land subject of this application have been open, continuous, exclusive and adverse against the whole world for more than fifty-six (56) years since the oldest documentary evidence, Tax Declaration No. 235 series of 1948 and in the name of Margarita Laigo shows that Margarita Laigo, mother of Roberto Laigo from whom the applicants bought this land subject of this case, has owned it since 1948. Besides, witness Leopoldo Subang, the owner of the land adjacent to this land subject of this case, confirmed that their possession was probably before 1948 because he knows Roberto Laigo as the present owner of the land when he sold it to the applicants; and that this property was originally owned by Margarita Laigo, mother of Roberto Laigo. Hence, this Court conclusively presumes that Margarita Laigo was the original owner even before the Second World War.<sup>[7]</sup>

The Republic appealed to the CA on the ground that the MTC erred in granting the petitioners' application for registration because of discrepancies in the area of the subject land as applied for and indicated in the tax declarations and the parties' deed of sale. Also, discrepancies in the description of the subject land appeared in the tax declarations, as the land was sometimes described as "swampy" and, in others, "sandy."

The CA, in its assailed April 30, 2007 decision, reversed and set aside the MTC's decision and dismissed the petitioners' application for registration of title. It ruled that, contrary to the MTC's findings, the evidence failed to prove the nature and duration of the petitioners' possession and that of their predecessors-in-interest; that the petitioners failed to prove that they and their predecessors-in-interest have been in open, continuous, exclusive, notorious and adverse possession of Lot 3876 since June 12, 1945 or earlier.

The CA further held that the petitioners failed to establish when the subject land became alienable; that while the DENR-CENRO La Union certified that "Lot 3876 falls within the Alienable and Disposable land of the Public Domain as per Project No. 9, L.C. Map No. 3330 of Bauang Cadastre as certified on January 21, 1987," such certification (as annotated in the lot's Advance Plan) was inadequate to prove that the subject land was classified as alienable and disposable on said date.

Lastly, the CA noted the discrepancies in the area of the subject land indicated in the tax declarations and deed of sale presented by the petitioners, which put in doubt the lot's identity. It held that:

xxx, insufficient identification of the land claimed in absolute ownership by the applicant cannot ripen into ownership. Lot 3876 consists of 6,904