

## FIRST DIVISION

[ G.R. No. 116426, April 12, 2000 ]

**REPUBLIC OF THE PHILIPPINES, REPRESENTED BY THE  
DIRECTOR OF LANDS, PETITIONER, VS. GERARDO SODSOD,  
RESPONDENT.**

### D E C I S I O N

**PARDO, J.:**

What is before the Court for review *via* appeal by certiorari is the decision of the Court of Appeals<sup>[1]</sup> affirming that of the trial court<sup>[2]</sup> ordering Lot No. 10367 of the Cadastral Survey of Oas, Albay to be registered and confirmed in the names of Gerardo SodSod and Felicidad Rellores.

The facts are as follows:

Sometime prior to July 1973, the Director of Lands filed with the Court of first Instance of Albay, Ligao cadastral proceedings<sup>[3]</sup> for the coverage under the torrens system of the lands in Oas Cadastre, Oas, Albay.

On July 19, 1973, spouses Gerardo Sodsod and Felicidad Rellores filed an answer to the petition, claiming ownership of Lot No. 10367, Oas Cadastre, consisting of 52,847 square meters, located at Tablon, Oas, Albay, by virtue of their more than thirty (30) years possession including that of their predecessor-in-interest.

During the cadastral hearings, the lot was uncontested.

The evidence showed that respondent Sodsod and his predecessor-in-interest occupied and possessed the lot in question in the concept of owner, openly, continuously, adversely, notoriously and exclusively since 1929, or for more than thirty (30) years.

On July 27, 1990, the Regional Trial Court rendered decision, the dispositive portion of which reads:

"WHEREFORE, Lot No. 10367 of the Cadastral Survey of Oas, Albay more particularly described in the plan and technical description thereof is hereby ordered registered and confirmed in the names of the SPOUSES GERARDO SODSOD and FELICIANO RELLORES, Filipinos, of legal ages, and residents of Tablon, Oas, Albay.

"Once this decision becomes final, let the decree and original certificate of title be issued in their favor.

"SO ORDERED.