



REPUBLIC OF THE PHILIPPINES
SUPREME COURT
Manila

SECOND DIVISION

NOTICE

Sirs/Mesdames:

*Please take notice that the Court, Second Division, issued a Resolution dated **22 June 2020** which reads as follows:*

“G.R. No. 240836 (Heirs of Pablo Chua, namely: Joel Pablo Chua, Kenneth Pablo Chua, and Remegia N. Chua *v.* Spouses Manuel T. Garcia, Jr. and Primitiva Rojas Garcia). – After a judicious study of the case, the Court resolves to **DENY** the instant petition¹ and **AFFIRM** the December 19, 2017 Decision² and the June 21, 2018 Resolution³ of the Court of Appeals (CA) in CA-G.R. CEB CV No. 03459 for failure of petitioners Heirs of Pablo Chua (Pablo), namely: Joel Pablo Chua, Kenneth Pablo Chua, and Remegia N. Chua (petitioners) to sufficiently show that the CA committed any reversible error in declaring respondents Spouses Manuel T. Garcia, Jr. and Primitiva Rojas Garcia (respondents) as the true and lawful owners of Lot No. 4057 (subject land), and declaring petitioners’ predecessor-in-interest, Pablo, to be a buyer in bad faith thereof.

As correctly ruled by the CA: (a) respondents have proven their ownership of the subject land, through their possession of the said land since buying the same in 1979, coupled by their consistent and diligent payment of realty taxes thereon;⁴ and (b) Pablo knew for a fact that respondents were in possession of the subject land when he bought the same from Amado Reyes Cabasa.⁵ Hence, he cannot claim the protection reserved only for innocent purchasers for value of titled properties.⁶

¹ *Rollo*, pp. 10-16.

² *Id.* at 58-67. Penned by Associate Justice Louis P. Acosta with Associate Justices Marilyn B. Lagura-Yap and Edward B. Contreras, concurring.

³ *Id.* at 77-79.

⁴ “[W]hile tax declarations and realty tax payments on property are not conclusive evidence of ownership, they are nevertheless good indicia of possession in the concept of owner, for no one in the right frame of mind would be paying taxes for a property that is not in one’s actual or at least constructive possession.” (*Republic v. Ng*, 705 Phil. 556, 564 [2013], citing *Republic v. Sta. Ana-Burgos*, 551 Phil. 305, 311 [2007].) See also *rollo*, pp. 64-65.

⁵ See *rollo*, p. 64.

⁶ “[A] person dealing with registered land has a right to rely on the Torrens certificate of title and to dispense with the need of inquiring further except when the party has actual knowledge of facts and

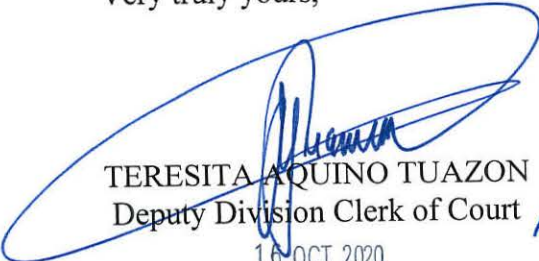
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On a related matter, the Court notes that respondents' cause of action⁷ before the court *a quo* partakes the nature of one for reconveyance⁸ and/or quieting of title,⁹ both of which were sufficiently proven as may be gleaned from the rulings of the lower courts. Verily, petitioners' reliance on laws, rules, and jurisprudence pertaining to the remedy of annulment of judgment in connection with reconstituted titles¹⁰ is clearly misplaced and erroneous; and hence, has no bearing in the resolution of this case.

SO ORDERED. (Gaerlan, *J.*, designated Additional Member per Special Order No. 2780 dated May 11, 2020, on leave.)”

Very truly yours,


TERESITA AQUINO TUAZON
Deputy Division Clerk of Court
16 OCT 2020

circumstances that would impel a reasonably cautious man to make such inquiry or when the purchaser has knowledge of a defect or the lack of title in his vendor or of sufficient facts to induce a reasonably prudent man to inquire into the status of the title of the property in litigation. The presence of anything which excites or arouses suspicion should then prompt the vendee to look beyond the certificate and investigate the title of the vendor appearing on the face of said certificate. One who falls within the exception can neither be denominated an innocent purchaser for value nor a purchaser in good faith and, hence, does not merit the protection of the law.” (*Locsin v. Hizon*, 743 Phil. 420, 430 [2014]; emphases and underscoring supplied)

⁷ See Complaint dated April 3, 1999; *rollo*, pp. 19-27.

⁸ “A complaint for reconveyance is an action which admits the registration of title of another party but claims that such registration was erroneous or wrongful. It seeks the transfer of the title to the rightful and legal owner, or to the party who has a superior right over it, without prejudice to innocent purchasers in good faith. It seeks the transfer of a title issued in a valid proceeding. The relief prayed for may be granted on the basis of intrinsic fraud-fraud committed on the true owner instead of fraud committed on the procedure amounting to lack of jurisdiction.” (*Sps. Aboitiz v. Sps. Po*, 810 Phil. 123, 137 [2017].)

⁹ “An action for quieting of title is essentially a common law remedy grounded on equity. The competent court is tasked to determine the respective rights of the complainant and other claimants, not only to place things in their proper place, to make the one who has no rights to said immovable respect and not disturb the other, but also for the benefit of both, so that he who has the right would see every cloud of doubt over the property dissipated, and he could afterwards without fear introduce the improvements he may desire, to use, and even to abuse the property as he deems best. But ‘for an action to quiet title to prosper, two indispensable requisites must concur, namely: (1) the plaintiff or complainant has a legal or an equitable title to or interest in the real property subject of the action; and (2) the deed, claim, encumbrance, or proceeding claimed to be casting cloud on his title must be shown to be in fact invalid or inoperative despite its prima facie appearance of validity or legal efficacy.’” (*Mananquil v. Moico*, 699 Phil. 120, 127 [2012].)

¹⁰ See *rollo*, pp. 13-16.

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HON. PRESIDING JUDGE (reg)
Regional Trial Court, Branch 17
Cebu City
(Civil Case No. CEB-23993)

COURT OF APPEALS (reg)
Visayas Station
Cebu City
CA-G.R. CV No. 03459

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