

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 483

DISMISSING ATTY. CELESTINO B. BRUA FROM OFFICE AS REGISTER
OF DEEDS OF TAGBILARAN CITY.

This refers to the administrative case against Atty. Celestino B. Brua, Register of Deeds of Tagbilaran City, for gross neglect of duty/negligence and grave misconduct. The case was formally investigated by Atty. Josefina Montañer of the Land Registration Commission (now National Land Titles and Deeds Administration).

The case stemmed from the report, dated December 15, 1981, of the Land Registration Commission Inventory team, which conducted an inventory of the land titles and other records of the Registry of Deeds of Tagbilaran City. The report disclosed 350 certificates of titles missing in the files of said registry, double or irregular issuances of land titles, and circumstances showing respondent's failure to adopt and implement necessary measures in the safekeeping of land titles and records under his custody.

On the basis thereof, respondent was formally charged by the Acting Land Registration Commissioner on December 18, 1981, with gross neglect of duty/negligence and grave misconduct. Respondent received a copy of the formal charge on March 3, 1982. He did not, however submit his answer thereto. The formal investigation/hearing of the case was thus set on March 21 and 23, 1982. The scheduled hearings were postponed at the instance of respondent. To forestall further delays, the Investigator proceeded to receive evidence ex parte on April 11 and 13, 1983.

The members of the LRC Inventory team composed of Reynaldo Vergara, Rolando Torres and Miguel Escarda were presented as witnesses. They testified that they conducted an inventory of the land records of the Registry of Deeds of Tagbilaran City and discovered 350 land titles missing in the files of said registry, 213 of which were transfer certificates and 137 original certificates of title. They likewise unearthed irregularities and/or duplications in the issuances of land titles, particularly involving TCT No. T-20814, TCT No. T-9460, TCT No. T-21778; TCT No. T-21779 and TCT No. T-9742. In the case of TCT No. T-9360, the name of the owner therein was cancelled without the benefit of a deed of transfer or alienation. The testimonies of the three witnesses concerning the double issuances of land titles were corroborated by Bienvenida Sarce, Register of Deeds of Bohol and concurrently Acting Register of Deeds of Tagbilaran City.

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In her investigation report, dated July 1, 1983, submitted to the Acting Land Registration Commissioner, the Investigator found respondent guilty as charged and recommended that he be dismissed from the service, which was concurred in by the Acting Land Registration Commissioner.

The Minister of Justice likewise concurred in the aforesaid findings and recommendation.

After a careful review of the case, I find respondent guilty of (1) gross neglect of duty for failure to exercise proper supervision in the keeping and custody of his registration books and to adopt the necessary measures for their security and preservation, which resulted in the loss of 350 certificates of titles; and (2) grave misconduct for the double issuances of land titles involving TCT No. T-20814, TCT No. T-9360, TCT No. T-21778, TCT No. T-21779 and TCT No. T-9742.

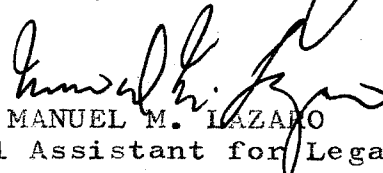
The foregoing clearly shows that respondent is unfit to remain in the government service.

WHEREFORE, and as recommended by the Minister of Justice and the Acting Land Registration Commissioner and the Investigator, Atty. Celestino B. Brua is hereby dismissed from the service as Register of Deeds of Tagbilaran City, effective upon his receipt of a copy of this Order.

Done in the City of Manila, this 28th day of May, in the year of Our Lord, nineteen hundred and eighty-four.


President of the Philippines

By the President:


MANUEL M. LAZARO

Presidential Assistant for Legal Affairs