



REPUBLIC OF THE PHILIPPINES  
 SUPREME COURT  
 Manila

SUPREME COURT OF THE PHILIPPINES  
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SECOND DIVISION

**NOTICE**

Sirs/Mesdames:

Please take notice that the Court, Second Division, issued a Resolution dated **25 November 2019** which reads as follows:

**G.R. No. 248882 (Pedrito R. Ramil and Teresita Quitoras-Estoya v. Consolacion C. Sagayaga, as represented by Valentin Uy and Tomasita Uy)**

After a judicious study of the case, the Court resolves to **DENY** the instant petition<sup>1</sup> and **AFFIRM** the July 30, 2019 Decision<sup>2</sup> of the Court of Appeals (CA) in CA-G.R. CV No. 111325 for failure of petitioners Pedrito R. Ramil and Teresita Quitoras-Estoya (petitioners) to sufficiently show that the CA committed any reversible error in affirming the May 31, 2018 Decision<sup>3</sup> of the Regional Trial Court of Ilagan City, Isabela, Branch 17.

As correctly ruled by the CA, it is settled that the equitable principle of laches does not operate against a registered owner of property covered by the Torrens system, whose right to recover ownership and possession does not prescribe.<sup>4</sup> This is pursuant to Section 47 of Presidential Decree No. 1529,<sup>5</sup> otherwise known as the "Property Registration Decree," which provides that no title to registered land in derogation to that of the registered owner shall be acquired by prescription or adverse possession.<sup>6</sup> While the operation of laches has been recognized in highly exceptional instances,<sup>7</sup> such does not obtain in this case.

The Court further resolves to **GRANT** petitioners' motion for extension<sup>8</sup> of thirty (30) days from the expiration of the reglementary period within which to file a petition for review on *certiorari*.

<sup>1</sup> Rollo, pp. 7-12.

<sup>2</sup> Id. at 88-104. Penned by Associate Justice Ramon R. Garcia with Associate Justices Nina G. Antonio-Valenzuela and Ruben Reynaldo G. Roxas, concurring.

<sup>3</sup> Id. at 44-63. Penned by Judge Andrew U. Barcena.

<sup>4</sup> See id. at 103.

<sup>5</sup> Entitled "AMENDING AND CODIFYING THE LAWS RELATIVE TO REGISTRATION OF PROPERTY AND FOR OTHER PURPOSES," (June 11, 1978). Section 47 thereof provides:

Section 47. *Registered land not subject to prescription.* — No title to registered land in derogation of the title of the registered owner shall be acquired by prescription or adverse possession.

<sup>6</sup> See *Aledro-Ruña v. Lead Export and Agro-Development Corporation*, G.R. No. 225896, July 23, 2018.

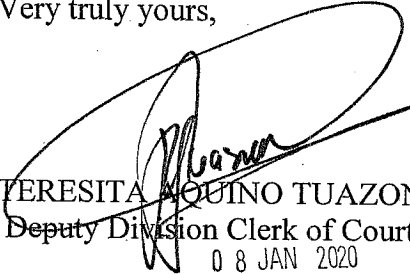
<sup>7</sup> *Mactan-Cebu International Airport Authority v. Heirs of Sero*, 574 Phil. 755, 768 (2008).

<sup>8</sup> Rollo, pp. 3-5.

1/8

**SO ORDERED.** (REYES, A., Jr., J., on leave. ZALAMEDA, J., designated as Additional Member per Special Order No. 2727 dated October 25, 2019.)

Very truly yours,



TERESITA AQUINO TUAZON  
Deputy Division Clerk of Court  
08 JAN 2020 p 18

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HON. PRESIDING JUDGE (reg)  
Regional Trial Court, Branch 17  
Ilagan City, Isabela  
(Civil Case No. 1370)

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