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to Memorandum Circular 133 issued on October 19, 1967 by the Office of the President)."

PREMISES CONSIDERED, the assailed Order of the Hon. Secretary of Labor is hereby REVERSED and SET ASIDE, and a new one is hereby rendered awarding petitioner the maximum disability compensation of P6,000.00 under Section 14 of the Workmen's Compensation Act.

SO ORDERED.

Feria, Fernan, Alampay, and *Gutierrez, Jr., JJ.*, concur.

SECOND DIVISION

[G.R. Nos. 50622-23. November 10, 1986]

BERNARDO CARABOT, JUAN BANQUILES, LEONIDA V. ENDIAPE, LEON VILLANUEVA, OLIMPIA L. BANQUILES, FELISA BANQUILES, SEBASTIAN VILLANUEVA AND JUAN BANDAYRIL, *petitioners, vs.* **THE Hon. COURT OF APPEALS, (FIRST DIVISION), SAMUEL PIMENTEL in his own behalf and in behalf of the minors, ALEXANDER MANUEL, JR., ALMABELLA and CLARIBEL all surnamed, PIMENTEL, NATIVIDAD RIOFLORIDO, assisted by her husband GREGORIO DINGLASAN,** *respondents.*

SYLLABUS

1. **REMEDIAL LAW; EVIDENCE; CREDIBILITY; FACTUAL FINDINGS OF LOWER COURT, GENERALLY RESPECTED ON APPEAL; EXCEPTION.**— This case represents an instance where the findings of the lower court overlooked certain facts of substance and value that if considered would affect the result of the case (*People vs. Royeras,* 130 SCRA 259) and where it appears that the appellate court based

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its judgment on a misapprehension of facts (*Carolina Industries, Inc. vs. CMS Stock Brokerage, Inc. et al.*, 97 SCRA 734; *Moran, Jr. vs. Court of Appeals*, 133 SCRA 88; *Director of Lands vs. Funtillar, et al.*, G.R. No. 68533, May 23, 1986). This case therefore is an exception to the general rule that the findings of facts of the Court of Appeals are final and conclusive and cannot be reviewed on appeal to this Court.

2. **CIVIL LAW; LAND REGISTRATION; NATURAL BOUNDARIES WILL PREVAIL OVER AREA; RULE IF THE LAND TO BE REGISTERED IS ALMOST SEVEN (7) TIMES AS MUCH AS THAT DESCRIBED IN THE DEED.**— This Court has already ruled that "In order that natural boundaries of land may be accepted for the purpose of varying the extent of the land included in a deed of conveyance the evidence as to such natural boundaries must be clear and convincing (*Waldroop v. Castañeda*, 25 Phil. 50, 56). In fact, the Court clarified that while the proposition of law laid down by the court below may be true that natural boundaries will prevail over area, yet when the land sought to be registered is almost seven times as much as that described in the deed, the evidence as to natural boundaries must be very clear and convincing before that rule can be applied. (*Pamintuan v. Insular Govt.*, 8 Phil. 512, 515). The great difference as to area, and the boundaries should be properly explained and the identity of the property should be proven in a satisfactory manner. (Earlier *Pamintuan* case, 8 Phil. 485, 491).

3. **ID.; ID.; TORRENS SYSTEM; GENERALLY, LANDS NOT REGISTERED THEREUNDEER SHALL BE CONSIDERED AS UNREGISTERED; EXCEPTION.**— Private respondents admit that with the passage of Presidential Decree No. 892, effective February 16, 1976, Spanish Titles can no longer be used as evidence of land ownership. Under the same Decree, lands not registered under the Torrens System shall be considered as unregistered. Nevertheless, such decree notwithstanding, private respondents insist that said lands have already been reserved from the mass of public lands because of their possession as early as 1906 so that when petitioners applied for homestead patents, they are no longer public lands. (Brief for the Respondents, p. 32). In this regard the Supreme Court has ruled that: "All lands that were not acquired from the Government, either by purchase or by grant, belong to the

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public domain. An exception to the rule would be any land that should have been in the possession of an occupant and of his predecessors-in-interest since time immemorial; for such possession would justify the presumption that the land had never been part of the public domain or that it had been a private property even before the Spanish conquest." (*O Cho v. Director of Lands*, 75 Phil. 892 [1945] citing: *Cariño v. Insular Government*, 7 Phil. 132-139).

APPEARANCES OF COUNSEL

Jovito E. Talabong for petitioners.
Edmundo T. Zepeda and Luis Vizcocho for respondents.

DECISION

PARAS, *J.*:

This petition[1] for review seeks to set aside the affirmance by the respondent appellate court of the joint decision rendered by the Court of First Instance of Quezon in two Recovery of Possession cases filed by the herein private respondents against the petitioners. The dispositive portion of the decision, affirmed *in toto* by the appellate court, reads:

"WHEREFORE, judgment is hereby rendered in favor of the plaintiffs and against the defendants in both cases, declaring the former to be the true and rightful owners of the properties described in their respective complaints and orders the cancellation of Original Certificate of Title Nos. P-4679, 6470 and P-9131 (Exhibits 2, 3 and 4 - Faustino Villanueva); Original Certificate of Title Nos. P-5597 (Exhibit 1 - Carabot, P-7899 Exh. 1 - Juan Banquiles), P-7261 (Exh. 1 - Sebastian Villanueva), P-4586 (Exh. 1 - Olimpia Banquiles), P-8146 (Exh. 1 - Bandayril), P-8125 (Exh. 1 - Endiape), P-7987 (Exh. 1 - Felisa Banquiles), P-4443 (Exh. 1 - Moises Banquiles) and P-12795 (Exh. 1 - Leon Villanueva) and the defendants are ordered to vacate the premises. In Civil Case No. 248-G, the plaintiffs are ordered to pay P535 and P320 in favor of the defendants Bernardo Carabot and Faustino Villanueva, respectively, as compensation for the coconut trees which the said defendants planted on the portion at the rate of

[1] This petition was submitted for decision on September 1, 1980.

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P1.00 per coconut tree, and after the payment, the said defendants are ordered to vacate the same."

In the first case, Civil Case No. 248-G, in which the complaint first filed in April, 1958 was amended on August 5, 1958, the herein private respondents Samuel Pimentel and his children, as plaintiffs, alleged that they are the *pro-indiviso* owners of a 140-hectare parcel of land in Bo. Tala, San Narciso, Quezon covered by Tax Declaration No. 3814, having inherited the same from Samuel's wife, Estrella Ribargoso, who, in turn inherited the property from Juan Ribargoso. The Pimentels claimed that during the lifetime of Estrella Ribargoso, she placed as tenants on portions of the land the herein petitioners, the spouses Bernardo Carabot and Rosario L. Carabot and spouses Faustino Villanueva and Encarnacion de Leon; and that, after the death of Estrella, the Carabots and the Villanuevas asserted interest adverse to the Pimentels. The Pimentels prayed that the Carabots and the Villanuevas "be compelled to disclose the facts on which they base their claims" and be declared to have no title to or interest of any kind in the property. (Record on Appeal, pp. 2-7).

In the second case, Civil Case No. 356-G, filed on January 23, 1960, the herein private respondent, Natividad Rioflorido assisted by her husband Gregorio Dinglasan, claimed ownership of a "portion of the land represented by Plan Psu-96589" situated in Bo. Tala, San Narciso, Quezon measuring 166.2594 hectares and covered by Tax Declaration No. 1013. Rioflorido alleged that she inherited the land from her mother, Constantina Ribargoso, who, in turn, had inherited the same from Juan Ribargoso. She alleged that the herein petitioners, namely, Bernardo Carabot, Juan Banquiles, Leonida Endiape, Leon Villanueva, Olimpia L. Banquiles, Felisa R. Banquiles, Sebastian Villanueva, Juan Bandayril and Moises Banquiles, "who have been hired as tenants on the land have been illegally occupying for more than one year now several portions of the said property, pretending or assuming to be public land applicants." Ribargoso prayed that she be declared the lawful owner of the property and that her possession over the occupied portions be restored. (Record on Appeal, pp. 16-23).

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In both cases, the herein petitioners, as defendants, asserted that they have never been tenants of the private respondents, that they occupied the land as their homesteads and that they have already applied for patents under the Public Land Law.

The evidences for the plaintiffs as presented to the trial court are to the effect that as early as the Spanish regime Agripina Paguia was the owner and possessor of two parcels of land situated in Sitio Tamnao, Barrio Tala, San Andres (formerly San Narciso) Quezon under two composition titles in her name with an aggregate area of about 700 hectares more or less, as shown in Plan Psu-96589. She subsequently sold said parcels of land to Juan Ribargoso who planted the same to coconut trees through his tenants Bernardo Carabot, Victor Villanueva, Ananias Ausa, Hugo Ausa, Felipe Ausa, Victoriano Ausa, Margarito Carabido, Antonio Carabido and Indalicio Montero under the management of his overseer Juan Medenilla. Juan Ribargoso declared the property for taxation purposes under Tax Dec. No. 947, as early as the year 1906. When he died he was succeeded by his children Maximino, Constantina and Estrella who inherited the property. In an intestate proceedings the Court approved the inventory of the properties of the deceased and a project of partition.

Constantina Ribargoso died in 1944 and she was survived by her daughter Natividad Rioflorido, plaintiff in Civil Case No. 356-G while Estrella Ribargoso died in 1954 and was survived by her spouse, Samuel Pimentel, and children, Alexander, Samuel, Jr., Amabella and Claribel, all surnamed Pimentel, plaintiffs in Civil Case No. 248-G. Samuel died in 1961 and Deogracias Argosino was appointed legal guardian of his minors heirs in Special Proceedings No. 63.

Maximino Ribargoso sold his share to Dr. Teodorico Valerio who was able to secure a Torrens Title on the property.

Prior to her death, the portion pertaining to Estrella Ribargoso was declared in her name for taxation purposes. The tax declaration was thereafter transferred in the name of her husband Samuel Pimentel and realty taxes paid. The tenants on said portion, aside from defendants Bernardo Carabot and Faustino

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Villanueva, are Anastacio Viñegas and Eliseo Reyes who have their respective houses thereon.

On the other hand, the portion pertaining to Natividad Rioflorido is declared for taxation purposes and realty taxes thereon are paid. The tenants on said portion, who planted coconuts under a verbal "hatian system" were Bernardo Carabot, Juan Banquiles, Leonila V. Endiape, Leon Villanueva, Olimpia Banquiles, Moises Banquiles, Felisa Banquiles, Sebastian Villanueva and Juan Bandayril. All the defendants allegedly confirmed the existence of the agreement in a confrontation meeting with Gregorio Dinglasan, husband of Natividad Rioflorido. (Record on Appeal, pp. 41-45)

Petitioners' evidence as defendants tends to show that they were applicants for homestead or free patent and that titles were issued in their favor by the Bureau of Lands over the portions respectively occupied by them (Exh. 1 - Carabot; Exh. 1 - Juan Banquiles; Exh. 1 - Sebastian Villanueva; Exh. 1 - Olimpia Banquiles; Exh. 1 - Felisa Banquiles; Exhs. 1 and 2 - Moises Banquiles; Exh. 1 - Leon Villanueva; Exhs. 1, 3 and 4 - Faustino Villanueva). The defendants all disclaimed knowledge of the plaintiffs and the fact that the latter or their predecessors-in-interest own any real property in barrio Tala, San Andres, (formerly San Narciso), Quezon. Defendants also vehemently asserted that they never had been tenants of anybody's land respectively occupied by them believing the same to be public land. (Record on Appeal, p. 46)

The trial court ruled that the homestead and free patent titles of the petitioners are null and void because "the property in question was already of private ownership commencing from the time the composition titles were issued by the Spanish Government in favor of Agripina Paguia on November 8, 1894" and, as such, "can no longer be subject to a subsequent disposition by the Government through the Bureau of Lands." The discrepancy between the area of 127.9325 hectares stated in the Spanish title and the area of 665.6877 hectares as shown in Plan Psu-96589 was considered by the trial court as "understandable" for the stated reason that "when the

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composition title was issued in the name of Agripina Paguia, the property was not yet scientifically surveyed by a surveyor." The trial court cited the ruling in *Loyola vs. Bartolome*, 39 Phil. 544, 550 that "where it appears that the land is so described by boundaries as to put its identification beyond doubt, an erroneous statement relative to the area of the questioned parcel may be disregarded because what really defines a piece of ground is not the area but the boundaries therein laid down." The trial court sustained the private respondent's theory that the herein petitioners are mere tenants on the land.

On appeal, the appellate court adopted the evidence for the plaintiffs as its own findings. It reiterated the rulings made by the trial court and, as already stated, affirmed the appealed judgment *in toto*.

Initially, the petitioners were represented by a single counsel before this Court. The original counsel Atty. Pedro B. Bautista, after the filing of the petition, withdrew his appearance for petitioner spouses Faustino Villanueva and Encarnacion de Leon and petitioners Leonida V. Endiape and Sebastian Villanueva. The said petitioners were, thereafter, allowed to file an amended petition through their counsel Atty. Jovito E. Talabong. Thus, two briefs, one for each set of petitioners were filed; one for the Villanueva group and the other for the Carabot group.

In essence, the submission of the petitioners is that they cannot be divested of ownership and possession of the properties, titled in their names pursuant to sales and homestead patents issued to them by the Government, on the basis of a survey plan which while it purports to be a resurvey of lands covered by Spanish titles (Titulo de Composition con el Estado), increased the area indicated in the Spanish titles by some Five Hundred (500) hectares.

The basic issue presented by the petition is whether or not the parcels of land occupied by the petitioners and titled in their names as a result of homestead and/or free patents, have been, prior to or at the time of petitioners' occupation, already removed from the mass of public lands and were already private property.

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This case represents an instance where the findings of the lower court overlooked certain facts of substance and value that if considered would affect the result of the case (*People vs. Royeras,* 130 SCRA 259) and where it appears that the appellate court based its judgment on a misapprehension of facts (*Carolina Industries, Inc. vs. CMS Stock Brokerage, Inc. et al.*, 97 SCRA 734; *Moran, Jr. vs. Court of Appeals*, 133 SCRA 88; *Director of Lands vs. Funtillar, et al.*, G.R. No. 68533, May 23, 1986). This case therefore is an exception to the general rule that the findings of facts of the Court of Appeals are final and conclusive and cannot be reviewed on appeal to this Court.

It is a fact that long before the private respondents filed the cases of recovery of possession against the petitioners, the latter had already filed applications for public land grants and some have already been issued original certificates of titles to the parcels they occupy. The trial court even noted that the petitioners staked their claims over the portions respectively in their possession "when Philcusa executed the San Narciso Public Land Subdivision in the early part of 1950" (Decision, Record on Appeal, p. 50). The truth is, as likewise noted by the trial court, Original Certificate of Title No. 4267 was issued to petitioner Moises Banquiles way back in 1936 and there was a title which was issued in 1957 (Decision, *Ibid*). All of the applications for public land grants filed before the inception of the cases at bar were granted and corresponding titles were issued to the petitioners during the pendency of the trial and before the decision was rendered in the two recovery of possession cases.

The foregoing facts should have resulted in a more careful scrutiny of the basis of the claim of the private respondents as there was no allegation, much less was there any proof, that the grant of homestead and free patents to the petitioners was attended by any anomaly.

In its decision, the appellate court stated that "in this case the composition titles alleged by the appellees were actually presented and x x x were shown to be certified true copies of

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the Spanish titles which the original grantee duly registered in the office of the Register of Deeds of Tayabas." This statement is not supported by the records. The documents presented by the private respondents were certifications made by the *Registrador de Titulos* to the effect that Doña Agripina Paguia applied for the registration of her composition titles covering her properties mentioned therein and that she registered her composition titles over the properties with the given numbers thereof (Translation made by private respondents' counsel, Brief for Respondents, p. 128, *Rollo* at pp. 23 and 24 of Brief).

The said certification mentions the area covered by the titles of Doña Agripina Paguia, thus, "*ciento veinticiete hectares noventa y tres areas y veinticimos centiareas*" for Finca No. 17, valued at "*seis cientos treinta y cinco pesos*" and "*siete hectares y cuarenta areas*" for Finca No. 16, valued at "*treinta y cinco pesos*."

It appears, then, that the titles of Doña Agripina Paguia were secured pursuant to the provisions of the Royal Decree of December 26, 1884. As observed in *Republic vs. Court of Appeals*, 135 SCRA 156, (italics supplied) under the Royal Decree of December 26, 1884, *the area in hectares, not the boundaries, is important.*

There should have been proof adduced below as to how the parcel of land of well over a hundred hectares could have been gratuitously granted under the provisions of the Royal Decree of December 26, 1884. It appears that the parcels of land mentioned in Paguia's titles, particularly Finca No. 17, could be subject only to onerous adjustment as it appears to be encompassed by the third group of public land in the classification under the Royal Decree, the adjustment of which should have been handled by the Inspection General de Montes (Inspection General of Forests) and Direccion General de Administracion Civil (*Vide.*, Ponce, The Philippine Torrens System, p. 24). (Ventura in Land Registration and Mortgages, pp. 17-19).

There was, in other words, no proof regarding the validity of the *Titulo de Composition con El Estado*, granting that the

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existence of such documents has been proven by the certification of the *Registrador de Titulos* (*Ramirez and Bayot de Ramirez vs. Director of Lands*, 68 Phil. 114, cited in *Republic vs. Court of Appeals, (Supra)*.

Although the appellate court, adopting the findings of the trial court, made the statement that "[O]n May 14, 1906, said parcels of land were conveyed to and acquired by Juan Ribargoso who immediately declared the same in his name for taxation purposes as per tax declaration No. 947" (*Rollo*, p. 18), the records indicate that private respondents were not able to present any document of sale or note thereof that such sale was ever recorded in the Office of the Register of Deeds of Tayabas (now Quezon Province). The claim of such acquisition by purchase was not even testified to by any of the witnesses to the said alleged contract of sale. Such transfer of the land from Doña Agripina Paguia to Juan Ribargoso was just orally claimed by an interested witness, Gregorio Dinglasan, husband of private respondent Natividad Rioflorido. (Brief for Petitioners, Villanueva Group, *Rollo*, p. 111, at p. 14 of Brief).

The document of sale or any note thereof is of primary importance in the resolution of the controversy because of the discrepancy between the area as stated in the Spanish titles of Paguia, which titles cover the land supposed to have been the subject of the sale, and the area later claimed by the private respondents as the actual area of the land sold to their predecessor-in-interest. The difference in area is as already noted, five hundred hectares.

In turn, the 500-hectares difference is crucial. It must be noted that the total area covered by the Spanish titles of Paguia is no more than 135.3325 hectares. Maximino Ribargoso, one of Juan Ribargoso's heirs, sold the larger portion of the land, measuring 127.9325 hectares to one Dr. Teodorico Valerio (Decision of trial court, Record on Appeal, p. 43; Brief for Petitioners, pp. 14-15). This is the area covered by Finca No. 17, Folio 44. After this sale, and insofar as the Spanish titles are concerned, the only area left is 7.4 hectares or that covered by Finca No. 16, *Rollo* 41. Thus, the claim of the private

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respondents for the recovery from the petitioners of the parcels titled to the latter, can only be sustained if the increase in area as indicated in the resurvey is valid.

It was grossly inaccurate for the trial court to say, as it did say, that the "discrepancy in area is understandable considering that when the composition title was issued in the name of Agripina Paguia, the property was not yet scientifically surveyed by a surveyor." As previously stated, in the case of *Republic vs. Court of Appeals, supra*, this Court emphasized that in adjustment proceedings under the Royal Decree of December 26, 1884, the area in hectares, not the boundaries, is important.

The areas in the Spanish titles have been stated not just in *hectares* but up to and until the last *areas* and *centiareas*. There, certainly, could have been no room for error, least of all for an error that amounts to a difference of Five Hundred hectares. Tax Declaration No. 947 (Exhibit "D-2") under which Juan Ribargoso supposedly declared the land he bought from Paguia for taxation purposes in 1906, mentions the land area as 125.3300 hectares. (Brief for Petitioners, Villanueva group, pp. 43-44).

The doctrine regarding the determination of a piece of land by boundaries was misapplied both by the lower court and the appellate court.

This Court has already ruled that "In order that natural boundaries of land may be accepted for the purpose of varying the extent of the land included in a deed of conveyance the evidence as to such natural boundaries must be clear and convincing (*Waldroop v. Castañeda*, 25 Phil. 50, 56). In fact, the Court clarified that while the proposition of law laid down by the court below may be true that natural boundaries will prevail over area, yet when the land sought to be registered is almost seven times as much as that described in the deed, the evidence as to natural boundaries must be very clear and convincing before that rule can be applied. (*Pamintuan v. Insular Govt.*, 8 Phil. 512, 515). The great difference as to area, and the boundaries should be properly explained and the identity of the property should be proven in a satisfactory manner. (Earlier *Pamintuan* case, 8 Phil. 485, 491).

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The parcel of land covered by Finca No. 17 is described as —

"lindante al Norte el estero Basyad, al Este la arilla de mar, al sur el estero Tamnao y al Oeste con Hilario Albasan y Filomeno Esquieres."

While the parcel under Finca No. 16 was shown as

"lindante al Norte con Estero Malibaguhan, al Este la Arilla del Mar, al Sur con el Estero Basyad, al Oeste con Luis Jimenez."

The petitioners made it clear that in the survey plan, Plan Psu-96589, in which the total area of 135.3325 hectares stated in the two fincas was increased to 665.0377 hectares, the non-natural boundaries namely properties of Hilario Albasan, Filomeno Esquieres and Luis Jimenez were changed to properties of Maximino Ribargoso and the boundaries corresponding to the Malibaguhan Creek and the Basyad River were extended far away and beyond the origin or main source of such natural waters. (Brief for Petitioners, pp. 51 to 56). These statements were not satisfactorily refuted by the private respondents who merely stated that "the description appearing in the composition titles were made in 1894, whereas the plan was made in 1932" and that "during the intervening 38 years, it is possible that the original adjacent owners may have ceded or sold their portions to Maximino Ribargoso or they may have abandoned the same after Maximino Ribargoso started to possess those portions." (Brief for Respondents, *Rollo*, p. 128, at p. 59 of Brief). This is not the clear and convincing proof required by established jurisprudence in order that the rule on natural boundaries can apply. There is no sufficient proof to show that what was described in the Spanish titles was precisely the same piece of land measured under Plan Psu-96589. On the contrary, the petitioners have sufficiently shown that the land measured under Plan Psu-96589 was different from that shown in the Spanish titles. It was encompassed by longer boundaries, Naturally, the resulting area was far larger in mass. The descriptive words used in *Republic vs. Court of Appeals, supra*, aptly fit the discrepancy in the case at bar. It is "a monstrous and bewildering discrepancy," x x x the trial court grievously erred in applying to this case the rule that the area comprised

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in the boundaries should prevail over that stated in the muniments of title" (at page 163 of Vol. 135, SCRA).

Likewise, the finding of the appellate court and the lower court that the petitioners are tenants of the private respondents has no basis. The records reveal that the claim of private respondents that petitioners are mere tenants of the land in dispute is based on testimonies of witnesses whose partiality is questioned while petitioners' claim is based on evidence showing that they were applicants for homestead or free patents and that titles were issued in their favor by the Bureau of Lands. (Reply Brief for Petitioners, p. 5; *Rollo*, p. 144). Clearly, therefore, the regularity of the proceedings in the Bureau of Lands not having been questioned, there is more weight in the petitioners' assertion that they were never tenants on the land which they entered and occupied as their own homesteads.

Finally, private respondents admit that with the passage of Presidential Decree No. 892, effective February 16, 1976, Spanish Titles can no longer be used as evidence of land ownership. Under the same decree, lands not registered under the Torrens System shall be considered as unregistered.

Nevertheless, such decree notwithstanding, private respondents insist that said lands have already been reserved from the mass of public lands because of their possession as early as 1906 so that when petitioners applied for homestead patents, they are no longer public lands. (Brief for the Respondents, p. 32).

In this regard the Supreme Court has ruled that:

"All lands that were not acquired from the Government, either by purchase or by grant, belong to the public domain. An exception to the rule would be any land that should have been in the possession of an occupant and of his predecessors-in-interest since time immemorial; for such possession would justify the presumption that the land had never been part of the public domain or that it had been a private property even before the Spanish conquest." (*O Cho v. Director of Lands*, 75 Phil. 892 [1945] citing: *Cariño v. Insular Government*, 7 Phil. 132-139).

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It will be noted however, that in the O Cho case it was ruled that the applicant does not come under the exception, for the earliest possession of the lot by his first predecessor-in-interest began in 1880. In the case at bar the earliest possession as stated by private respondents, started from at least 1906. (Brief for Respondents, *Rollo*, p. 160).

Furthermore, as previously stated, there is no sufficient proof to show that what was described in the Spanish titles was precisely the same land in dispute. On the contrary, evidence of the petitioners showed that they are different.

Thus, in a case where the State had granted free composition title to a parcel of land in favor of certain individuals, and there were other persons who tried to show that such land was cultivated by them for many years prior to the registration thereof in the name of the grantees, the Supreme Court held that such persons who have not obtained any title to lands from the State or thru persons who obtained titles from the State cannot question the titles legally issued by the State. (*Reyes v. Rodriguez*, 62 Phil. 776 [1936]; cited in Peña, Registration of Land Titles and Deeds, p. 425).

PREMISES CONSIDERED, the decision of the Court of Appeals affirming the decision of the lower court is hereby REVERSED and SET ASIDE and a new one is hereby rendered DISMISSING the two cases filed in the trial court.

SO ORDERED.

Feria (Chairman), Fernan, Alampay, and *Gutierrez, Jr., JJ.*, concur.