

Republic of the Philippines
**REGIONAL TRIAL COURT OF PALAWAN
AND PUERTO PRINCESA CITY**
Fourth Judicial Region
Branch 51
Puerto Princesa City

EDNA L. BALISBIS and ANDREW L.
CHENG,

Plaintiffs,

CIVIL CASE NO. 5434

For

- versus -

RECOVERY OF POSSESSION WITH
DAMAGES

SPS. MARIOS NEIL & JOYCE RANES,
ET. AL.,

Defendants.

x-----x

DECISION

Before this Court is complaint for Recovery of Possession with Damages filed by plaintiffs Edna L. Balisbis and Andrew L. Cheng, thru counsel, against Spouses Marlos Neil and Joyce Ranes, et. al.

FACTS OF THE CASE

As alleged in the Complaint, the antecedents are as follows:

Plaintiffs Edna L. Balisbis and Andrew L. Cheng, are the registered owners of a parcel of land with an area of 38,748 square meters, identified as Lot No. 993-D, Csd 04-013846-D Iden. To Lot No. 5753, Cad-1037-D, situated at Barangay Bucana, El Nido, Palawan, and covered by Transfer Certificate of Title No. T-21658. Said property is also covered by Tax Declaration No. 13-006-1087 with an assessed value of P87,780.00.

It is averred that the defendants individually and without the consent and against the will of the plaintiffs constructed their own respective houses on the portion of more or less half hectare of the plaintiffs' property. Plaintiffs, thru their caretaker Romuel C. Virgo, demanded the defendants to vacate their property, but such demand was not heeded.

Several demand letters were served to the defendants asking them to vacate the subject property. On August 3, 2016, the final demand letter was sent to the defendants by the plaintiffs, thru their counsel. A complaint was then filed in the barangay, however there was failure to have an amicable settlement, thus, a certificate to file action was issued. Plaintiffs contended that each defendant should be made liable in the amount of P500.00 per month as reasonable rental starting from May 30, 2016 when the Certificate to file action was issued by the Barangay until the time the defendants vacate the area of the plaintiffs.

Plaintiffs pray that the defendants be ordered to vacate or transfer the actual physical possession of the portion of the property they occupy which is within the property of the plaintiff. In addition, that the defendants pay damages in *solidum* to the plaintiffs.