

Based on the foregoing, it is only proper to give credence to the findings made by the duly appointed commissioner on the relocation survey of the property that was conducted affirming that there is indeed encroachment of a portion of the property of the plaintiffs. The plaintiffs indeed have the right to recover possession of the portion occupied by the defendants falling within the boundaries of their registered property.

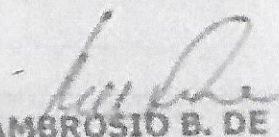
In addition, this Court finds that the plaintiffs are entitled to monthly rental prayed for as reasonable compensation for the use of the portion of the plaintiffs' property by the defendants. However, there is not enough evidence for the Court to grant the award of the other damages prayed for.

WHEREFORE, premises considered, judgment is hereby rendered in favor of the plaintiffs and against the defendants, ordering the defendants TO VACATE the portion of the land they are occupying within the registered property of the plaintiffs in accordance to the findings of the relocation survey of Engr. Cabasares, geodetic engineer of PENRO.

Each of the defendants are likewise ordered TO PAY the plaintiffs the amount of Php250.00 per month as reasonable compensation for the use and occupation of the subject property from May 30, 2016 until such time that they will vacate the property and surrender full possession to the plaintiffs.

SO ORDERED.

Puerto Princesa City, this 21st day of June 2021.


AMBROSIO B. DE LUNA
Presiding Judge

Copy furnished:

1. Atty. Nesarlo G. Awat
2. Atty. Regidor B. Tulali
3. Atty. Jacques B. Tulfo
4. File