

Republic of the Philippines
REGIONAL TRIAL COURT
Fourth Judicial Region
Branch 51
Puerto Princesa City

OFFICE OF THE
SOLICITOR GENERAL
DOCUMENT DIVISION
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**REPUBLIC OF THE
PHILIPPINES, represented
by the Regional Executive
Director, Region IV-B
(MIMAROPA) of the
DEPARTMENT OF
ENVIRONMENT AND
NATURAL RESOURCES,**
Plaintiff,

Civil Case No. 3950

FOR: Annulment of
Patent, Cancellation of
Title and/or Reversion

- versus -

**NELLIE O. CASTRO and the
REGISTRAR OF DEEDS OF
PALAWAN,**
Defendants.

X - - - - - X

MOTION TO REVIVE CASE

PLAINTIFF REPUBLIC OF THE PHILIPPINES,
represented by the **DEPARTMENT OF ENVIRONMENT
AND NATURAL RESOURCES (DENR) Region IV-B
(MIMAROPA),** through the Office of the Solicitor General
(OSG) and unto this Honorable Court, respectfully states:

1. Per this Honorable Court's Order dated December 16, 2004,¹ the instant case was sent to the archives without prejudice to its revival on the ground that summons has not been served to the defendants for an unreasonable length of time because no transportation fees, facilities or sheriff's fees were provided by plaintiff to effect personal service of summons.

¹ Annex "A."

MOTION TO REVIVE CASE

Republic, rep. by the Regional Executive Director, Region IV-B, DENR
v. Nellie O. Castro and the Registrar of Deeds of Palawan
CIVIL CASE NO. 3950

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2. On December 20, 2019, the OSG sent to the DENR Region IV-B a Letter dated December 20, 2019² inquiring whether it is still interested in pursuing the case.

3. Consequently, on November 11, 2022, the OSG received the DENR Region IV-B's Letter Reply dated October 7, 2022³ stating its interest in reviving the case and its willingness to provide the necessary arrangements to address the lack of transportation provisions to personally serve the summons to the defendants.

4. In view thereof, plaintiff hereby respectfully moves for the revival of the case with an undertaking to coordinate with the Court's Sheriff for the personal service of summons.

5. The instant Motion is not intended to delay the disposition of this case, much less trifle with the generosity and magnanimity of this Honorable Court.

PRAYER

WHEREFORE, premises considered, it is respectfully prayed of this Honorable Court that the instant case **BE REVIVED**.

Other forms of relief just and equitable under the premises are likewise prayed for.

Makati City, for Puerto Princesa City, November 24, 2022.

MENARDO I. GUEVARRA

Solicitor General

Roll No. 33957

IBP No. 177214, 02-07-22, Bulacan

MCLE Exemption No. VII-EXD000076, 08-13-19

² Annex "B."

³ Annex "C."

MOTION TO REVIVE CASE

Republic, rep. by the Regional Executive Director, Region IV-B, DENR
v. Nellie O. Castro and the Registrar of Deeds of Palawan
CIVIL CASE NO. 3950

MAGTANGGOL M. CASTRO

Assistant Solicitor General

Roll No. 35970

IBP No. 174546, 01-04-22

MCLE Exemption No. VII-OSG000222, 11-05-19

JESSICA G. GUMOP-AS-TIROL

State Solicitor

Roll No. 52770

IBP No. 174547, 01-04-22

MCLE Compliance No. VII-0019659 – 05-31-22

jggtirol@osg.gov.ph

OFFICE OF THE SOLICITOR GENERAL

134 Amorsolo St., Legaspi Village, Makati City

Telephone No: 812-3018

efile@osg.gov.ph

Copy furnished:

LORMELYN E. CLAUDIO

Regional Executive Director

DENR Region IV-B (MIMAROPA)

DENR By the Bay Building, 1515 Roxas Blvd.

1000 Ermita, Manila

NELLIE O. CASTRO

Iraan, Aborlan, Palawan

REGISTER OF DEEDS OF PALAWAN

Puerto Princesa City, Palawan

MMC/JGT/msq/motion: 223600

OFFICE OF THE SOLICITOR GENERAL
Administrative Division

JAN 28 2005

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

REPUBLIC OF THE PHILIPPINES,
represented by the Regional Executive
Director, Region IV-B (MIMAROPA) of
the DEPARTMENT OF ENVIRONMENT
AND NATURAL RESOURCES

Civil Case No. 3956

For:

Plaintiff,

ANNULMENT OF PATENT,
CANCELLATION OF TITLE
AND/OR REVERSION

- versus -

NELLIE O. CASTRO and the
REGISTRAR OF DEEDS OF
PALAWAN,

Defendant.

X-----X

ORDER

The record of this case shows that the summons has not been served to the defendants for an unreasonable length of time for reasons that no transportation fees are provided for the Sheriff as this Office has no appropriations for this purpose, and considering further the fact that despite coordination and follow-up with the DENR for provision for proper service of summons yet said office is unable to provide transportation facilities or expenses for personal service of summons nor sheriff's fees as the distance involves more than 100 kilometers from Puerto Princesa City to the municipality where the defendants reside, thus, it is burdensome on the part of the Court Sheriff; and

In view of the foregoing, let the record of the case be sent to the ARCHIVES without prejudice to its revival in order that the case may not appear pending for indefinite period of time.

SO ORDERED.

Puerto Princesa City, December 15, 2004.

CHITO S. MEREGILLANO
Judge

Copy furnished:

Office of the Solicitor General -
Office of the Clerk of Court -
Nellie O. Castro - Iraan, Aborian, Palawan -
Office of the Court Administrator -
File-

2/1/05

Republic of the Philippines
Office of the Solicitor General

ANNEX "B"

December 20, 2019

HENRY A. ADORNADO

Regional Executive Director

Department of Environment and Natural Resources – *Region VI-B*
L&S Bldg, 1515 Roxas Boulevard, Malate, Manila

**RE: REPUBLIC OF THE PHILIPPINES, represented by the
Regional Executive Director, Region IV-B (MIMAROPA),
DENR petitioner v. Nellie O. Castro and The Register of
Deeds of Palawan, defendants.
RTC-Branch 51, Puerto Princesa City**

FOR: Annulment of Patent, Cancellation of Title and/or Reversion

x-----x

Sir:

GREETINGS!

To recall, per RTC Order dated December 16, 2004,¹ the above-captioned case was sent to the archives without prejudice to its revival, the reason being the lack of transportation provisions and/or facilities necessary for proper service of summons nor sheriff's fees, despite the RTC's coordination and follow-up with the DENR.

In view thereof, the Office of the Solicitor General, through the undersigned State Solicitor, would like to inquire whether the DENR is still interested in reviving the case. Accordingly, we are requesting your good office to provide information on the current whereabouts of defendant Nellie O. Castro.

For your information, guidance and immediate action. Thank you.

Very truly yours,

JESSICA G. GUMOP-AS-TIROL
State Solicitor

Noted by:

MAGTANGGOL M. CASTRO
Assistant Solicitor General

¹ Annex "A."



Republic of the Philippines
Department of Environment and Natural Resources
MIMAROPA Region

ANNEX

NOV 11 2022

Time: 8:19pm SECRETARIAT By: Jen

OFFICE OF THE
SOLICITOR GENERAL

NOV 11 2022

DOCKET MANAGEMENT SERVICE

ATTY. MENARDO I. GUEVARRA
Solicitor General
Office of the Solicitor General
134 Amorsolo St., Legaspi Village
Makati City 1229 Philippines

THRU : ATTY. JESSICA G. GUMOP-AS-TIROL
State Solicitor



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RE : REPUBLIC OF THE PHILIPPINES, represented by the Regional Executive Director, Region IV-B (MIMAROPA), DENR *petitioner v. Nellie O. Castro and the Register of Deeds of Palawan, defendants, RTC-Branch 51, Puerto Princesa City, for Annulment of Patent, Cancellation of Title and/or Reversion*

Sir:

Greetings!

This refers to the inquiry of State Solicitor Jessica G. Gumop-as-Tirol whether our Office is still interested in reviving the above-entitled case.

We confirm that we would like to revive the case. Further, we are willing to make the necessary arrangements to address the lack of transportation provisions and/or facilities necessary for the proper service of summons and sheriff's fees.

We look forward to your usual support in our Office's aim of continuous prosecution of environmental cases.

Respectfully yours,

LORMELYN E. CLAUDIO, CESO IV
Regional Executive Director



Department of Environment
and Natural Resources
MIMAROPA Region



Doc ID: 27755

ARD-MS/LD

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