

Regional
Office



Republic of the Philippines
Department of Environment and Natural Resources
MIMAROPA REGION
Provincial Environment and Natural Resources Office

DENR MIMAROPA RECORDS SECTION	
RECEIVED	
03 AUG 2022	
<input checked="" type="checkbox"/> INCOMING	<input type="checkbox"/> OUTGOING
DATE NO.	

July 26, 2022

MEMORANDUM

FOR : The Regional Executive Director
DENR MIMAROPA Region

ATTENTION: The Chief
Licenses, Patents and Deeds Division

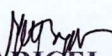
FROM : The In-Charge
PENRO Oriental Mindoro

SUBJECT : **REFERENCE CODE NO. PM-AKA-05-02-2022-017 RE: LETTER FROM MS. INDAYLYN SEÑORIN REQUESTING FOR THE INVESTIGATION ON THE ALLEGED LAND GRABBING OF THEIR CLAIMED PARCEL OF LAND IN BANILAD, PINAMALAYAN, ORIENTAL MINDORO**

This refers to the above-mentioned subject referred by the Head, DENR Action Center/Hotline thru the Regional Office, which was forwarded to CENRO Roxas as per Memoranda dated May 24, 2022 and June 02, 2022 for the conduct of investigation on the veracity of the complaint of Ms. Indaylyn Señorin.

Be informed that CENRO Roxas conducted investigation and verification on the matter. Thus, attached herewith is the Progress Report prepared and submitted by SI Marie Ann Galit. Furthermore, a Completed Staff Work (CSW) report will be soon submitted by CENRO Roxas upon completion and submission of necessary documents by Ms. Señorin.

For information and records.


MARICEL V. SUPLEO
Chief, Administrative Officer/Chief MSD
In-Charge, Office of the PENRO

Copy furnished:

Presidential Complaint Center (PCC)
Malacañang, Manila

DENR Action Center/Hotline
Visayas Ave., Diliman, Quezon City

Tracking No.: 2207000753

TSD/RPS/Dhal

Ilang-ilang St., Sitio II, Suqui, Calapan City, Oriental Mindoro
DENR Contact Nos. (043) 288-3017, Tel. Fax No. 288-3006

54-00000
E-31-22
NPM



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

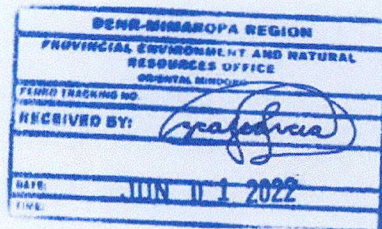
MEMORANDUM

TO : THE PENR OFFICER
Oriental Mindoro

ATTENTION : THE CENR OFFICER
Roxas

FROM : THE REGIONAL EXECUTIVE DIRECTOR

SUBJECT : REFERENCE CODE NO. PM-AKA-05-02-2022-017 RE:
LETTER FROM MS. INDAYLIN SEÑORIN REQUESTING FOR
THE INVESTIGATION ON THE ALLEGED LAND GRABBING
OF THEIR CLAIMED PARCEL OF LAND IN BANILAD,
PINAMALAYAN, ORIENTAL MINDORO [E-2022-87437]



DATE : MAY 30 2022

Referred is the Memorandum dated May 20, 2022 of the Head, DENR Action Center/Hotline regarding the complaint of Ms. Indaylin Señorin addressed to the Presidential Complaint Center (PCC) on the alleged land grabbing of their claimed 125-hectare parcel of land located in Brgy. Banilad, Pinamalayan, Oriental Mindoro. Accordingly, the said land grabbing was facilitated by Mayor Aristeo A. Baldos et. al.

In line with this, you are hereby directed to advise CENRO-Roxas to conduct investigation in coordination with the parties concerned to determine the veracity of the complaint. Submit report with categorical recommendations within five (5) working days upon receipt hereof for monitoring purposes.


LORMELYN E. CLAUDIO, CESO IV

Co: Presidential Complaint Center (PCC)
Malacañang, Manila

DENR Action Center/Hotline
Visayas Ave., Diliman, Quezon City

Ms. Indaylin Señorin
Brgy. Banilad, Pinamalayan,
Oriental Mindoro

ED/MMM/05-23-22



Department of Environment
and Natural Resources
MIMAROPA Region



Doc ID: 87437



Republic of the Philippines
Department of Environment and Natural Resources
MIMAROPA REGION
Provincial Environment and Natural Resources Office

May 24, 2022

MEMORANDUM

TO : The CENR Officer
CENRO Roxas

ATTENTION: The Chief
Regulation and Permitting Section

FROM : The PENR Officer
Oriental Mindoro

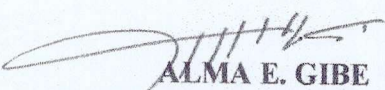
SUBJECT : **REFERENCE CODE NO. PM-AKA-05-02-2022-017 RE: LETTER FROM MS. INDAYLYN SEÑORIN REQUESTING FOR THE INVESTIGATION ON THE ALLEGED LAND GRABBING OF THEIR CLAIMED PARCEL OF LAND IN BANILAD, PINAMALAYAN, ORIENTAL MINDORO**

Referred is the Memorandum dated May 20, 2022 from the Head, DENR Action Center/Hotline regarding the above-mentioned subject. An advance copy was sent thru email dated May 24, 2022.

In this regard, please conduct investigation on the allegation of Ms. Indaylyn Señorin in accordance with the existing laws, rules and regulations. Directly coordinate with the requesting party on this matter and submit report to the PCC, HEA, Regional Office, and this Office for monitoring and reference purposes. Expeditious action is expected in accordance with the provisions of RA No. 11032 otherwise known as the Ease of Doing Business and Efficient Government Service Delivery Act of 2018 as implemented and enforced by the Anti-Red Tape Authority. Please be reminded that failure to timely respond to the public's concern shall be ground for administrative sanctions under existing laws and regulations.

For immediate compliance.

For the PENR Officer:


ALMA E. GIBE
DMO V/In-Charge, Office of the PENRO

Tracking No.: 2205000615

TSD/RPS/Dhal

Ilang-ilang St., Sitio II, Suqui, Calapan City, Oriental Mindoro
DENR Contact Nos. (043) 288-3017, Tel. Fax No. 288-3006



Republic of the Philippines
Department of Environment and Natural Resources
MIMAROPA REGION
Provincial Environment and Natural Resources Office

June 02, 2022

MEMORANDUM

TO : The CENR Officer
CENRO Roxas

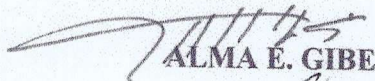
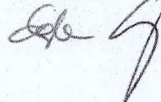
FROM : The In-Charge, Office of the PENRO
Oriental Mindoro

SUBJECT : **REFERENCE CODE NO. PM-AKA-05-02-2022-017 RE: LETTER FROM MS. INDAYLYN SEÑORIN REQUESTING FOR THE INVESTIGATION ON THE ALLEGED LAND GRABBING OF THEIR CLAIMED PARCEL OF LAND IN BANILAD, PINAMALAYAN, ORIENTAL MINDORO**

Referred is the Memorandum dated May 30, 2022 from the Regional Executive Director regarding the above-mentioned subject. Be informed that the same subject matter was referred to you as per Memorandum dated May 24, 2022 referring the Memorandum from the Head, DENR Action Center/Hotline which was sent in advance thru your office email address on the same date.

In this regard, this is to reiterate the previous instruction to conduct investigation in coordination with concerned parties on the veracity of the complaint. Submit report with categorical recommendations within five (5) working days upon receipt hereof for monitoring purposes copy furnished the Office of the Presidential Complaint Center (PCC), DENR Action Center/Hotline and the Regional Office thru this Office citing PCC Code No. PM-AKA-05-02-2022-017.

For immediate and strict compliance.


ALMA E. GIBE


revised by
Araceli R. Manaloto
6-5-22

Tracking No.: 2206000005

TSD/RPS/Dhal

Ilang-ilang St., Sitio II, Suqui, Calapan City, Oriental Mindoro
DENR Contact Nos. (043) 288-3017, Tel. Fax No. 288-3006



Republic of the Philippines
Department of Environment and Natural Resources
MIMAROPA REGION
Provincial Environment and Natural Resources Office

June 02, 2022

MEMORANDUM

TO : The CENR Officer
CENRO Roxas

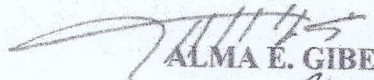
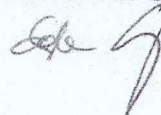
FROM : The In-Charge, Office of the PENRO
Oriental Mindoro

SUBJECT : REFERENCE CODE NO. PM-AKA-05-02-2022-017 RE: LETTER
FROM MS. INDAYLYN SEÑORIN REQUESTING FOR THE
INVESTIGATION ON THE ALLEGED LAND GRABBING OF
THEIR CLAIMED PARCEL OF LAND IN BANILAD,
PINAMALAYAN, ORIENTAL MINDORO

Referred is the Memorandum dated May 30, 2022 from the Regional Executive Director regarding the above-mentioned subject. Be informed that the same subject matter was referred to you as per Memorandum dated May 24, 2022 referring the Memorandum from the Head, DENR Action Center/Hotline which was sent in advance thru your office email address on the same date.

In this regard, this is to reiterate the previous instruction to conduct investigation in coordination with concerned parties on the veracity of the complaint. Submit report with categorical recommendations within five (5) working days upon receipt hereof for monitoring purposes copy furnished the Office of the Presidential Complaint Center (PCC), DENR Action Center/Hotline and the Regional Office thru this Office citing PCC Code No. PM-AKA-05-02-2022-017.

For immediate and strict compliance.


ALMA E. GIBE


percel by:
ARABEN of Portunay
6-3-22

Tracking No.: 2206000005

TSD/RPS/Dhal

Ilang-ilang St., Sitio II, Suqui, Calapan City, Oriental Mindoro
DENR Contact Nos. (043) 288-3017, Tel. Fax No. 288-3006



Republic of the Philippines
Department of Environment and Natural Resources
MIMAROPA Region
Community Environment and Natural Resources Office
Camia St., San Mariano, Roxas, Oriental Mindoro
Contact No.: 0917 876 9985 / 0917 169 0232
VOIP: (043) 289-7118
Email: cenroroxasormindoro@denr.gov.ph

June 13, 2022

MEMORANDUM

FOR : The REGIONAL EXECUTIVE DIRECTOR
DENR- MIMAROPA Region
Roxas Boulevard, Ermita, Manila

THRU : The In-Charge, Office of the PENRO
Calapan City, Oriental Mindoro

FROM : The CENR Officer
Roxas, Oriental Mindoro

SUBJECT : **PROGRESS REPORT**
RE: REFERENCE CODE NO. PM-AKA-05-02-2022 RE: LETTER
FROM MS. INDAYLYN SENORIN REQUESTING FOR THE
INVESTIGATION ON THE ALLEGED LAND GRABBING OF
THEIR CLAIMED PARCEL OF LAND IN BANILAD,
PINAMALAYAN, ORIENTAL MINDORO

DENR-MIMAROPA REGION	
PROVINCIAL ENVIRONMENT AND NATURAL RESOURCES OFFICE ORIENTAL MINDORO	
PENRO TRACKING NO.	
RECEIVED BY:	<i>[Signature]</i>
DATE:	JUL 25 2022
TIME:	

In compliance with the Memorandum dated May 20, 2022 from the Head, DENR Action Center/Hotline regarding the above-mentioned subject, forwarding is the Progress Report of Special Investigator I, Marie Ann Galit.

Complete Staff Work (CSW) will be submitted upon completion of the documents needed from the Regional Office and from the letter-sender, Mrs. Indaylyn F. Seniorin.

For records and information.

[Signature]
ENGR. CAESAR E. QUEBEC

Tracking No. 2205000615, 2206000005, 2206000049



Community Environment and Natural Resources Office

Camia St., San Mariano, Roxas, Oriental Mindoro

Contact No.: 0917 876 9985 / 0917 169 0232

VOIP: (043) 289-7118

Email: cenroroxasormindoro@denr.gov.ph

June 10, 2022

MEMORANDUM

FOR : The In-Charge, Office of the PENRO
Calapan City, Oriental Mindoro

THRU : The CENR Officer
Roxas, Oriental Mindoro

FROM : The Special Investigator I
Roxas, Oriental Mindoro

SUBJECT : **PROGRESS REPORT**
RE: REFERENCE CODE NO. PM-AKA-05-02-2022 RE: LETTER
FROM MS. INDAYLYN SENORIN REQUESTING FOR THE
INVESTIGATION ON THE ALLEGED LAND GRABBING OF
THEIR CLAIMED PARCEL OF LAND IN BANILAD,
PINAMALAYAN, ORIENTAL MINDORO

In compliance with the Memorandum dated May 20, 2022 from the Head, DENR Action Center/Hotline regarding the above-mentioned subject, please be informed that this land is covered by DENR Case No. IV-5778.

As per record on file this land is known as Lot No. 2715, Pls-83 with an area of 135,183 square meters located at Banilad, Pinamalayan, Oriental Mindoro.

On January 24, 2002 an ORDER was signed by Regional Executive Director, Samuel R. Penafiel, CESO III covering the case "Heirs of Simeona Morales, Claimant-Protestant - versus- Ananias Ramos, Et.Al., and Leonardo Ferriol, Respondents, and the dispositive portion to wit:

"WHEREFORE, premises considered, the instant protest is DISMISSED for lack of merit. Consequently, the respondents are advised to re-file and/or pursue their application for land registration before the proper forum."

On year 2014, Investigation Team was created as per Regional Special Order No. 214, Series of 2014.

The team conducted investigation and a KASUNDUAN was signed by the representative of Heirs of Simeona Morales, Mr. Aljun V. Rabulan and the protestees on October 24, 2014. The heirs of Leonardo Ferriol were not among the protestees who signed the said Kasunduan.



Republic of the Philippines
Department of Environment and Natural Resources
MIMAROPA Region
Community Environment and Natural Resources Office
Camia St., San Mariano, Roxas, Oriental Mindoro
Contact No.: 0917 876 9985 / 0917 169 0232
VOIP: (043) 289-7118
Email: cenroroxasormindoro@denr.gov.ph

On October 27, 2014, report was submitted by the Investigation Team under RSO No. 214, Series of 2014 with the recommendation:

"In view of the foregoing, we hereby recommend the issuance of an ORDER by the PENR Officer-Calapan City giving full force and effect to the terms and conditions embodied in the attached amicable settlement."

This year the jurisdiction of this case was transferred to CENRO-Roxas from CENRO-Socorro.

On April 27, 2022, the letter sender requested for an ocular inspection of this subject-lot and was found that they are claiming Lot No. 2715, Pls-83 and they are in actual occupation together with Banilad Elementary School.

As per your instruction, the undersigned coordinated with the letter sender and they will submit SALAYSA Y and other documents to support their claim.

We will submit Complete Staff Work upon receipt of the documents from the letter sender.

For records and information.


MARIE ANN F. GALIT

Tracking No. 2205000615, 2206000005, 2206000049

RPS/Mhe-Ann



Republic of the Philippines

1515 L & S Bldg., Roxas Boulevard, Ermita, Manila

October 27, 2014

MEMORANDUM

FOR : The Regional Director and
Regional Technical Director for Lands in concurrent capacity

THRU : The PENR Officer
Suqui, Calapan City

FROM : The Undersigned Members of the Investigation Team
Created Per RSO No. 214, Series of 2014

SUBJECT : **HEIRS OF SIMEONA MORALES**
-versus-
ANANIAS RAMOS, ET AL. **DENR Case No. IV-5778**
Banilad, Pinamalayan
Oriental Mindoro

We are pleased to report that we have complied with the instructions contained in Regional Special Order No. 214, series of 2014 and the corresponding Travel Orders issued to us relative to the above-noted subject.

The actual occupants/claimants of certain parcels of land subject of the above-captioned case wrote a letter dated March 22, 2014 to the Presidential Action Center of the Office of the President, Malacañang, Manila. The said letter was forwarded to the Office of the Secretary of DENR. Hence, the Assistant Secretary for Field Operations in his Memorandums dated April 24 and June 20, 2014 directed the conduct of an investigation on the case involving Lot Nos. 2713, 2714, 2715 and 2722 all of Pls-83 in Banilad, Pinamalayan, Oriental Mindoro. In line with the said directive, the said RSO was issued by the Regional Director with specific instructions to conduct a comprehensive investigation and explore the possibilities of settling the dispute amicably.

The records show that the subject case has already been resolved by this Office in an ORDER issued June 28, 2002 by then RED Samuel R. Penafiel. In the said Order, the case was dismissed for lack of jurisdiction even as then RED advised the Claimants-Protestants Heirs of Simeona Morales to pursue their application for land registration before the proper forum. It appears further that no Motion for Reconsideration nor Appeal was filed thereof by the respondents. The said ORDER therefore is presumed to have attained finality.

Notwithstanding the status of the subject case, we proceeded to comply with the aforesaid instructions given us. It should be pointed out, however, that those details about the case surfaced only upon verification of records and preliminary investigation. That was after the said RSO has been issued.

[Signature]

Heirs of Simeona Morales vs. Ananias Ramos

Accordingly, by virtue of the said RSO, we subpoenaed all the concerned parties to be present during the ocular inspection of the disputed parcels of land in Banilad, Pinamalayan, Oriental Mindoro on September 12, 2014 and also for the hearing and investigation in the afternoon of the same day at the DENR-CENRO in Socorro, Oriental Mindoro.


It was during the conference and hearing that we exerted earnest efforts to explore possibilities of settling the case amicably. Our Team Leader, LMO Bayani V. Mantubig, endeavored to expound on the merits of the case, the far-reaching pros and cons and the many implications of their controversy which could take them a lifetime to resolve, not to mention that it (the case) has been going on for more than two (2) decades already. This approach probably set the proper mood for the contestants. It was at this point that the parties agreed to start talking about possible terms and conditions upon which they can arrive at a settlement. The next hearing was scheduled on October 24, 2014 to formalize and document their agreements.

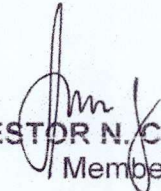
In summary, such terms and conditions agreed upon by the parties have been reduced into writing denominated as KASUNDUAN, to which the parties affixed their signatures before us. The said Kasunduan as written in the vernacular is attached as an integral part of this report.

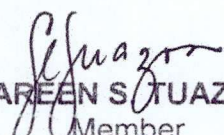
In the absence of any legal impediment to settle cases after judgment had been rendered thereto, the aforesaid agreement (kasunduan) deserves credence being not contrary to law and public morals. The authorities ruled in this regard, thus: ***"A reciprocal concession inherent in a compromise agreement assures benefits for the contracting parties. For the defeated litigant, obvious is the advantage of a compromise after final judgment. Liability arising from the judgment may be reduced. As to the prevailing party, a compromise agreement assures receipt of payment. Litigants are sometimes deprived of their winnings because of unscrupulous mechanisms meant to delay or evade the execution of final judgement."*** (Magbanua, et al. vs. Uy, G.R. No. 161003, May 6, 2005)

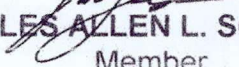
RECOMMENDATION

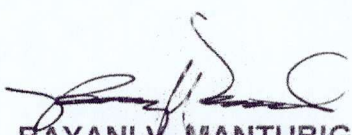
In view of the foregoing, we hereby recommend the issuance of an ORDER by the PENR Officer-Calapan City giving full force and effect to the terms and conditions embodied in the attached amicable settlement.


ELIZABETH M. MESINA
Member


NESTOR N. CUASAY
Member


KAREEN S. TUAZON
Member


JULES ALLEN L. SOLIMAN
Member


BAYANI V. MANTUBIG
Team Leader



Republic of the Philippines
DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES
REGION IV-B, MIMAROPA
1515 L & S Bldg., Roxas Boulevard, Ermita, Manila

HEIRS OF SIMEONA MORALES, x
Represented by ALJUN V. RABULAN :
Claimant-Protestants, :
-versus- :
ANANIAS RAMOS, ET AL., :
Respondents. :
X ----- X

DENR Case No. IV-5778

Lot. No. 2713, 2714, 2715 &
2722, Pls - 83
Banilad, Pinamalayan
Oriental Mindoro

KASUNDUAN (Amicable Settlement)

Sa kagalang-galang na Kagawaran ng Pamahalaang ito ay dumudulog kami na mga nakalagda sa KASUNDUAN na ito at buong galang na nagsasaad:

Na kami ang mga magkatunggaling panig sa kaso o usapin sa lupaing paksa dito na tumagal na nang mahabang panahon;

Na sa bisa ng DENR Regional Special Order No. 214, serye ng 2014, alinsunod sa Memorandum at kautusan ng DENR-Assistant Secretary for Field Operations ay muling nabuksan ang usaping ito sa ilalim ng Investigation Team na pinamunuan ni LMO Bayani V. Mantubig, Chief, Land Management Division ng DENR Region IV-B at kami ay inimitihan sa isang pagdinig sa DENR-CENRO, Socorro, Oriental Mindoro noong Setyembre 12, 2014 na kung saan sa pagsisikap at paliwanag ng mga miyembro ng nabanggit na Investigation Team kami ay nagkasundo na lutasin at tapusin na ang kaso at usaping ito naaayon sa mga sumusunod:

1. Na kaming mga *respondents* at aktuwal na nakatira/naka-okupa sa bahagi ng lupain na kilala bilang Lot Nos. 2713, 2714, 2715 & 2722, Pls 83, Banilad, Pinamalayan, Oriental Mindoro ay pumapayag na mabawasan ng 19% na parte o bahagi ang lupang aming aktuwal na inookupahan para mapunta sa mga tagapagmana ng Simeona Morales;

2. Na kaming mga *claimants/Protestants* at tagapagmana ni Simeona Morales na kinatawan ni Alfredo "Aljun" V. Rabulan sa bisa ng Special-Power-of-Attorney na sa kanya iginawad ng nasabing mga tagapagmana ay pumapayag na tanggapin ang nasabing 19% na bahagi kapalit ng pag-urong namin ng aming kaso at anumang interes sa kabuuan ng mga loteng nabanggit dito at bilang pagkilala na rin sa matagal na pamumosisyon ng mga nakaokupa sa nasabing lupain;

3. Na kami ay parehong pumapayag at humihiling sa DENR na tulungan kami na masukat (survey) ang mga lupaing nabanggit alinsusod sa kasunduang ito upang

Kasunduan

Heirs of Simeona Morales vs. Ananias Ramos, et al.

Page 1 of 5

maihiwalay ang 19% na bahagi ng *claimants/Protestants* at nangyayari't maaari ay mapagsama ito sa isa o dalawang lote lamang;

4. Na gayundin naman kaming mga *respondents* na nakalagda rito ay humihiling na matapos ibawas and 19% para sa *claimants/protestants*, kami ay magkaroon ng kanya-kanyang sukat (subdivision survey) at lote na nakatala sa aming pangalan bilang rekisito (requirement) sa pagpapatitulo.;

Kung kaya't sa mga kadahilanang nabanggit sa itaas at sa pamamagitan ng kasulatang ito, kami ay buong galang na humihiling sa Kagawarang ito na maglabas ng kapasiyahan (Resolution) naayon sa mga nakasaad na kasunduan at kaakibat na kautusan (Order) para maisakatuparan ang aming kahilingang pagsusukat (survey) ng nabanggit na mga lupain.

Socorro, Oriental Mindoro, Oktubre 24, 2014


ALFREDO "ALJUN" V. RABULAN

Protestant Atty-In-Fact

CTC No. _____

Issued On _____

Issued At _____

LOT NO. 2713


LALAIN YOUSGUIZA

Protestee

Postal ID

CTC No. 3736326

Issued On March 19, 2014

Issued At _____


NELIA ANGELES

Protestee

CTC No. _____

Issued On _____

Issued At _____

LOT NO. 2714


MARIETA FESALBON ORTEGA

Protestant Atty-In-Fact

SSS CTC No. 33-7007574-6

Issued On 31/10/1960

Issued At _____


DIVINO FESALBON

Protestee

CTC No. CC13013 19451993

Issued On 7/31/14

Issued At Pinamalan, Or. Min.

LOT NO. 2715


ANANIAS RAMOS

Protestee

Senior CTC No. 2020

Issued On 5/3/08

Issued At Pinamalan



TEDIE FABREGAS

Protestee

CTC No. ARDCL NGO GROUP INC. ID

Issued On 9/23/14

Issued At Pinamalan

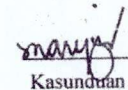

NELSON SENORIN

Protestee

CTC No. TASK FORCE KALIKASAN ID

Issued On 11/6/13

Issued At _____


Kasunduan

Heirs of Simeona Morales vs. Ananias Ramos, et al.

Page 2 of 5

Mariam Mongag
MARIAMING MONGAG

Protestee
CTC No. CC12012 30846027
Issued On 10/05/2014
Issued At Brgy. Banilad

Estrella Senorin
ESTRELLA SENORIN

Protestee
CTC No. CC12012 30846025
Issued On 10/05/14
Issued At Brgy. Banilad

Daniel Fruelda
DANIEL FRUELDA

Protestee
CTC No. CC12013 14455215
Issued On 10/24/2014
Issued At Brgy. Banilad

Miguel Acbang
MIGUEL ACBANG

Protestee
CTC No. CC12012 17440208
Issued On 11/5/14
Issued At Pinamalayan

Jovita Faderagao
JOVITA FADERAGAO

Protestee
CTC No. _____
Issued On _____
Issued At _____

Rosalía Mamba
ROSALIA MAMBA

Protestee
CTC No. CC12012 30846028
Issued On 10/11/14
Issued At Brgy. Banilad

Agapita Feslbon
AGAPITA FESLON

Protestee
CTC No. CC12013 14455214
Issued On 10/23/2014
Issued At Brgy. Banilad

Melcy Fadriqueza
MELCY FADRIQUELA

Protestee
CTC No. _____
Issued On _____
Issued At _____

Deonito
DEONITO MONGAG

Protestee
CTC No. CC12012 30773476
Issued On 04/23/2014
Issued At Brgy. Banilad

Lea Delos Santos
LEA DELOS SANTOS

Protestee
CTC No. CC12013 14455208
Issued On 10/23/14
Issued At Brgy. Banilad

Mariam Mongag
MARIATERESA MONGAG

Protestee
CTC No. CC12013 14455209
Issued On 10/23/14
Issued At Brgy. Banilad

Willy Fabregas
WILLY FABREGAS

Protestee
CTC No. CC12013 14455176
Issued On 10/23/14
Issued At Pinamalayan

Solitario Fadriqueza
SOLITARIO FADRIQUELA JR.

Protestee
CTC No. Team Liberal ID No. 107LPBC4
Issued On 1/20/10
Issued At Pinamalayan

Sozelyn Fadriqueza
SOZELYN FADRIQUELA

Protestee
CTC No. Phil Health ID 09-200384618-2
Issued On 3/10/04
Issued At _____

Rosalinda Mahaguay
ROSALINDA MAHAGUAY

Protestee
CTC No. CC12013 14455206
Issued On 10/23/2014
Issued At Brgy. Banilad

N. Rustia
NENITA RUSTIA

Protestee
CTC No. _____
Issued On _____
Issued At _____

Benjiel Fonte
BENJIEL FONTE

Protestee
CTC No. CC12012 30753806
Issued On 2/18/14
Issued At Ma. Or. Mdo

Rolinda Fruelda
ROLINDA FRUELDA

Protestee
CTC No. CC12013 14455207
Issued On 10/23/2014
Issued At Brgy. Banilad

Amelinda Fadriqueza
AMELINDA FADRIQUELA

Protestee
CTC No. TASK FORCE KALIKASAN ID No
Issued On 11/6/13
Issued At _____ PDM-926

Juan Rustia Jr.
JUAN RUSTIA JR.

Protestee
CTC No. Volere ID 5209-0043-A-K126
Issued On _____ JMR10000-2
Issued At _____

Roland Jasa
ROLAND JASA

Protestee
CTC No. _____
Issued On _____
Issued At _____

Ronald Fadriqueza
RONALD FADRIQUELA

Protestee
CTC No. CC12011 23403600
Issued On 2/18/14
Issued At Banilad, Pinamalayan

Nathaniel Adap
NATHANIEL ADAP

Protestee
CTC No. CC12012 17441292
Issued On 01/04/14
Issued At Roxas, Oriental Mindoro

Jose Molido
JOSE MOLIDO

Protestee
Phil. Health ID No. 23-002020958-0
Issued On 4/1/11
Issued At Pinamalayan

M. Ibanez
MARVIC IBANEZ

Protestee
CTC No. _____
Issued On _____
Issued At _____

Rey Senorin
REY SENORIN

Protestee
CTC No. 1745689
Issued On _____
Issued At _____

Regino Jasa
REGINO JASA

Protestee
CTC No. _____
Issued On _____
Issued At _____

by. [Signature]
MARCIAL SEMILLA

Protestee
CTC No. 17437505
Issued On 01-07-14
Issued At _____

LOT NO. 2722

Amalia Roda
AMALIA RODA

Protestee
Phil. Hnd. No. 09-200721827-5
Issued On 1/11/12
Issued At Pinamalayan

Rolly Alquizar
ROLLY ALQUIZAR

Protestee
CTC No. CC12013 14455212
Issued On 10/23/2014
Issued At Brgy. Banilad

LOT NO. 2726

Rogelio Fabito
ROGELIO FABITO

Protestee
CTC No. CC12012 30846047
Issued On 10/18/14
Issued At Brgy. Banilad

LOT NO. 2728

Joel Famudula
JOEL FAMUDULA

Protestee
CTC No. VMPA ID No. 10Pn Po 1171
Issued On 09/2010
Issued At Bansud, Dr. Hdo

Noel Rustia
NOEL RUSTIA

Protestee
CTC No. _____
Issued On _____
Issued At _____

G. Rustia
GIL RUSTIA

Protestee
CTC No. CC12011 23403600
Issued On 2/18/14
Issued At Banilad, Pinamalayan

by. [Signature]
RONIE SENORIN

Protestee
CTC No. _____
Issued On _____
Issued At _____

[Signature]
MIGUEL ACBANG

Protestee
CTC No. CC12012 174 40208
Issued On 1/5/14
Issued At Pinamalayan

Caridad Famudulan
CARIDAD FAMUDULAN

Protestee
CTC No. CC12012 30846026
Issued On 10/05/14
Issued At Brgy. Banilad

[Signature]
MIL RUSTIA

Protestee
CTC No. _____
Issued On _____
Issued At _____

by. [Signature]
ARIS SENORIN

Protestee
CTC No. _____
Issued On _____
Issued At _____

by. [Signature]
LIZA SENORIN

Protestee
CTC No. _____
Issued On _____
Issued At _____

Jovita Faderagao
JOVITA FADERAGAO

Protestee
CTC No. _____
Issued On _____
Issued At _____

LOT NO. 2729

T Fabregas
TERESITA FABREGAS

Protestee
CTC No. _____
Issued On _____
Issued At _____

Eufracia Fabregas
EUFRACIA FABREGAS

Protestee
CTC No. CC12012 30846029
Issued On 10/12/14
Issued At Brgy. Banilad

LOT NO. 2734

Analisa Mongag
ANALISA MONGAG

Protestee
CTC No. _____
Issued On _____
Issued At _____

Romer Jasa
ROMER JASA

Protestee
CTC No. _____
Issued On _____
Issued At _____

LOT NO. 2734

Narlita Magvaya
NARLITA MAGVAYA

Protestee
CTC No. 52090039A-K0275NAM
Issued On 20060
Issued At _____

Roland Jasa
ROLAND JASA

Protestee
CTC No. _____
Issued On _____
Issued At _____

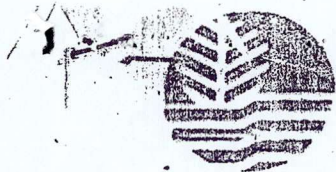
MGA SAKSI

Mary June F. Maypa
MARY JUNE F. MAYPA
PENR Officer
Calapan City

Leo Capon
LEO CAPON
CENR Officer
Socorro, Oriental Mindoro

SUBSCRIBED and sworn to before me this 24th day of October at the DENR-CENR Office,
Socorro, Oriental Mindoro.

Bayani V. Mantubig
BAYANI V. MANTUBIG
Chief, Land Mgt. Division/Hearing Officer
Team Leader per RSO No. 214 series of 2014



HEIRS OF SIMEONA MORALES
Claimant-Protestant

DENR REGION IV-5770

Banilad, Pinamalayan,
Oriental Mindoro

-versus-

ANANIAS RAMOS, ET AL., AND
LEONARDO FERRIOL,
Respondents.

X-----X

ORDER

Under consideration is the protest lodged by the heirs of Simeona Morales against the claim of Ananias Ramos, Leonardo Ferriol et al., over a parcel of land situated at Banilad, Pinamalayan, Oriental Mindoro.

Protestants alleged inter alia that: the property subject of the controversy contains an area of more or less one hundred hectares; the original owners of the said property were Agustin Aquino, Nicolas Marasigan and Maria Marasigan; on February 24, 1906, the said owners executed a Special Power of Attorney in favor of Ramon Marasigan, allowing the latter to sell the above-mentioned property.

On April 24, 1906, Ramon Marasigan sold the said property to Simeona Morales. Immediately thereafter, they occupied and cultivated the land. They planted thereon coconut and other fruit-bearing trees and contemporaneously paid the real estate tax due thereon as early as 1915.

Upon the death of Simeona Morales, her heirs donated a parcel of land to be utilized as a school site, which is now known as the Banilad Elementary School. They also allowed some people to enter the property as caretakers, considering its vast area.

Respondents on the other hand, alleged that: they occupied and cultivated the area since 1959; they planted thereon fruit-bearing trees such as coconut, bananas, mangoes and others; the heirs of Simeona Morales has no legal right to possess and administer the area in question because they never set foot thereon.

Cursory reading of the records submitted to this Office disclosed that indeed on April 24, 1906, Simeona Morales acquired a parcel of land from Agustin Aquino, Nicolas Marasigan and Maria Marasigan. The sale was covered by a document denominated as "Escritura No. 198" which was written in Spanish and notarized by Vicenta Dominguez on the same date.

Records further show that on January 16, 1908, Simeona Morales was able to secure an approved plan over the land containing an area of 1, 245, 167 square meters. The said plan, as record would show, was used by Simeona Morales in her application for Land Registration before the Court of First Instance of Mindoro. However, at the moment records thereof could no longer be retrieved, after a fire razed the building occupied by the Court. Hence, it could not be ascertained whether an Order/Decree was issued on the said application.

Also found from the records is an affidavit dated June 29, 2000 executed by Ananias Ramos, one of the claimants/protestants attesting that his parents were caretakers of the land owned by the late Simeona Morales and that he was only allowed by the former to cultivate and occupy portion of the said property.

On October 5, 2001, the Records Management and Archives Office issued a certified copy of a document denominated as "Estadística de los terrenos agrícolas de propiedad particular existentes en este pueblo" for the year 1896, which consists of the list of property owners in Pinamalayan, Oriental Mindoro. The said document which was submitted by the heirs of Simeona Morales showed that the late Simeona Morales owned a parcel of land in Babajurin, Pinamalayan, Oriental Mindoro devoted to rice plantation, while the rest of the area was utilized as pasture land.

Considering that from the records it was ascertained that there was already an application for registration earlier filed before the Court by the late Simeona Morales, this Office therefore, has no jurisdiction over the same. It has been settled in the case of *Dela Angeles versus Santos*, 12 SCRA, 622 that "a land registration court which has validly acquired jurisdiction over a parcel of land for registration of title thereto cannot be divested of said jurisdiction by a subsequent administrative act consisting in the issuance by the Director of Lands of a homestead patent covering the same parcel of land" (underscoring supplied).

Furthermore, from the muniments submitted by the parties it could be gleaned therefrom that the said parcel of land is already private in nature. In the case of *Dela Concha versus Magfira*, 18 SCRA, 393 the Supreme Court ruled that "to prove the private character of the land, it is enough that there is a clear showing of open, continuous, exclusive and notorious possession by the present or previous occupants" (underscoring supplied).


From the foregoing, it is an undisputed fact that indeed the late Simeona Morales occupied the property as early as 1896 coupled with the payment of taxes, thus making the property private in nature.

WHEREFORE, premises considered, the instant protest is **DISMISSED** for lack of merit. Consequently, the respondents are advised to re-file and/or pursue their application for land registration before the proper forum.

SO ORDERED.

Manila, Philippines

JAN 24 2002


SAMUEL R. PENAFIEL, CESO III
Regional Executive Director







