



Republic of the Philippines  
Department of Environment and Natural Resources  
**LAND MANAGEMENT BUREAU**

880 Estuar Building, Quezon Avenue, Brgy. Paligsahan, Quezon City  
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DENR MIMAROPA REGIONAL RECORDS SECTION

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DATE NO.

Respectfully referred to the Regional Executive Director DENR-MIMAROPA Region, 1515 L & S Building, Roxas Blvd., Manila, the following cases:

1. Decision  
Petition No. LRC-119-19  
Artemio M. Janda et al., vs. The Register of Deeds, Calapan City,  
Oriental Mindoro  
RTC Branch 41, Pinamalayan, Oriental Mindoro
2. Order and Notice of Hearing  
LRC Case No. LRC-125-22  
Judith M. Zamora, et al.,  
RTC Branch 41, Pinamalayan, Oriental Mindoro

The matter treated therein pertains to the administrative jurisdiction of said office pursuant to Executive Order No. 192<sup>1</sup> dated 10 June 1987.

  
**ENGR. ROMEO P. VERZOSA**  
Assistant Director

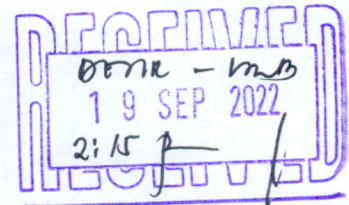
<sup>1</sup> Providing for the Reorganization of the Department of Environment, Energy and Natural Resources, Renaming it as the Department of Environment and Natural Resources, and for other purposes.



Republic of the Philippines  
REGIONAL TRIAL COURT  
FOURTH JUDICIAL REGION  
Branch 41

Pinamalayan, Oriental Mindoro

Hall of Justice, del Pilar St., Brangay Zone IV, Pinamalayan, Oriental Mindoro (043) 284-4097, CP No. 09177705924,  
Email add: rtc41pinamalayan@yahoo.com.ph



IN RE: PETITION FOR JUDICIAL  
RECONSTITUTION OF TRANSFER  
CERTIFICATE OF TITLE NO. T-21206  
in the name of ALBINO JANDA,

ARTEMIO M. JANDA, FLORENDO M.  
SEÑO, AMELIA V. SADIWA, SIMPLECIO  
J. PANTOJA, AUREA S. SAGUID, ROSELLER  
R. JANDA, ELIZABETH DE BELEN, ROMEO  
J. VIDA, JOCELYN S. PEREZ, PETRAM M.  
VIDA, AMELIA V. SADIWA, CATALINA V.  
AXALAN, CARMELITA V. LOZANO and  
ELSA V. SELOSA, represented by their  
Attorney-In-Fact, RONNIE A. DE MESA,  
Petitioners.

PETITION NO. LRC-119-19

THE REGISTER OF DEEDS, CALAPAN  
CITY, ORIENTAL MINDORO,

Respondent.

X-----X

DECISION

This is a verified petition for Judicial Reconstitution of Transfer Certificate of Title No. T-19194 filed on December 2, 2019.

During the hearing of the instant petition, the nature of the petition was announced in open Court to ascertain whether there was any opposition thereto. There being none, either verbal or written, the counsel for the petitioner was allowed to present and mark in evidence the following documents to establish compliance with jurisdictional requirements, to wit:

Exhibit "A" - Petition itself;

Exhibit "B" - Special Power of Attorney;

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- Exhibit "C" - Extrajudicial Settlement of Estate of Deceased Person;
- Exhibit "D" - Certification from the Office of the Register of Deeds;
- Exhibit "E" - Affidavit of Loss;
- Exhibit "F" - Copy of the Tax Declaration of TD No. 2015-060018-00230;
- Exhibit "G" - Copy of the Technical Description;
- Exhibit "H" - Order of the Honorable Court;
- Exhibit "I" - Notice of Appearance of the Solicitor General;
- Exhibit "J" - Certificate of Posting;
- Exhibit "K" - Certification of Publication;
- Exhibit "L" - Report from Land Registration Authority (LRA) Quezon City dated May 31, 2022;
- Exhibit "L-1" - Certified copy of the Technical Description of Survey Plan No. PSD-45427, Lot No. Lot A and Portion of Lot G-325580; and
- Exhibit "L-2" - Survey Plan.

The jurisdictional requirements having been complied with, the petitioner, thru counsel presented his evidence ex-parte.

As culled from the evidence presented in Court, it was established that petitioners are all of legal ages, Filipinos, all married and all residents of Barangay Maligaya, Gloria, Oriental Mindoro while their representative is also of legal age, Filipino, married and also a resident of Barangay Maligaya, Gloria, Oriental Mindoro. That petitioners are the heirs of the late ALBINO JANDA, who died in 1967 at Gloria, Oriental Mindoro and the registered owner of a parcel of land covered and embraced by Transfer Certificate of Title No. T-21206 located at Maligaya, Gloria, Oriental Mindoro, with an area of THIRTY FIVE THOUSAND (35,000) square meters. That the original copy of the said certificate of title which was usually kept in the custody of the Register of Deeds of this province was among those

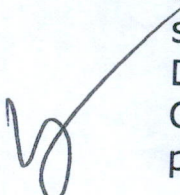


destroyed by reason of the fire that gutted the Provincial Capitol Building then housing the office of the Register of Deeds on August 12, 1977 while the owner's duplicate certificate of title was lost in the possession of the heirs of the deceased. That the said property was declared for taxation purposes in the office of the Provincial Assessor of Calapan, Oriental Mindoro. That they informed the Register of Deeds about the lost by furnishing said office with that affidavit executed by them and they were informed that they should file the necessary action in court for the reproduction or re-issuance of said title.

That they filed the instant petition to seek the aid of the court in the Reconstitution of the said title based on the tax declaration issued where the number of the title sought to be reconstituted was duly inscribed, the Certification from the Register of Deeds, this province, indicating that the number of the title and location of the property, certifying further original title was razed by fire in 1977; Tax Declaration; and, the report of the Land Registration Authority where stated the following to wit:

1. The present petition seeks the reconstitution of Transfer Certificate of Title No. T-21206, allegedly lost or destroyed and supposedly covering Lot A of the subdivision plan Psd-45427, containing an area of Thirty Five Thousand (35,000) Square Meters, situated in the Barangay of Maligaya, Municipality of Pinamalayan, Province of Oriental Mindoro.
2. The plan and technical description of Lot A of the subdivision plan Psd-45427 were verified correct by this Authority to represent the aforesaid lot and the same have been approved under (LRA) PR-22-00020-R pursuant to the provisions of Section 12 of Republic Act No. 26. Said Technical Description when plotted on the Municipal Index Sheet (MIS) No. G6724, does not appear to overlap previously plotted/decreed properties in the area.

As shown by the record, the petition is principally anchored on sources of reconstitution other than the owner's duplicate copy of the title sought to be reconstituted. The document considered as other sources of reconstitution must have the same proof to establish the existence of the title sought to be reconstituted, as in the instant case, it is worth stressing that the certification from the Register of Deeds, this province, and the tax declaration, their indication that said title really existed before burning the Office of the Register of Deeds. However, the original as well as the owner's copy of Transfer Certificate of Title No. T-21206 is no longer in existence, hence, this petition.

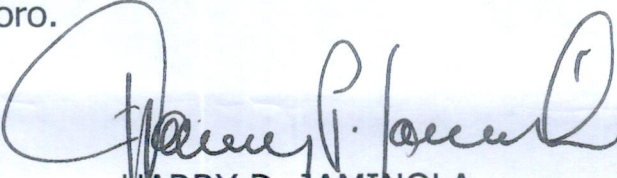




Such being the case, the Court taking into account of the fact that petitioner has satisfactorily complied with the jurisdictional requirements to vest jurisdiction to the Court over the petition and have in fact establish the existence of TCT No. T-21206 before its burning in 1977, the Court is without alternative but to grant the instant petition.

**ACCORDINGLY**, finding the petition to be well taken and there being no opposition thereto, the same is hereby **GRANTED** and the Register of Deeds of Oriental Mindoro is directed to reconstitute the original and duplicate copy of Transfer Certificate of Title No. T-21206 in the name of the registered owner on the basis of the Tax Declaration with Property Index No. 2015-060018-00230, Technical Description of Lot A, Psd-45427, Certification from the Register of Deeds; and the Report of the Land Registration Authority within thirty (30) days after receipt of this Order by the Register of Deeds of this province and the Administrator of the Land Registration Authority.

SO ORDERED.  
Pinamalayan, Oriental Mindoro.  
August 25, 2022.

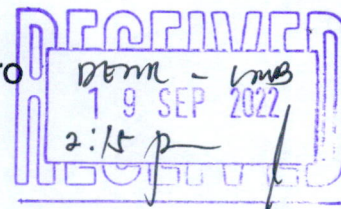


HARRY D. JAMINOLA  
Presiding Judge

HDJ/*mmm*



Republic of the Philippines  
REGIONAL TRIAL COURT  
FOURTH JUDICIAL REGION  
BRANCH 41  
Pinamalayan, Oriental Mindoro



IN RE: PETITION FOR CANCELLATION  
OF ENCUMBRANCE OF EASEMENT OF  
RIGHT OF WAY ANNOTATED ON TCT  
NO. 49247 AND CONVERSION OF THE  
SAID ROAD LOT TO RESIDENTIAL LOT  
PURSUANT TO ARTICLE 631 (1) OF THE  
CIVIL CODE,

LRC CASE NO. LRC-125-22

JUDITH M. ZAMORA, JOAN MOGOL,  
JOCELYN M. MONTECALVO, JEAN  
PENOHERMOSO, CELESTINO M. MOGOL,  
JESSICA M. PENOHERMOSO AND JONATHAN  
MOGOL,

Petitioners.

X-----X

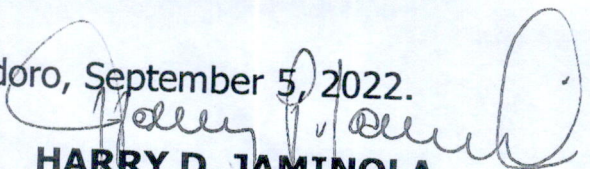
**ORDER**

This is a verified petition for cancellation of encumbrance of easement of right of way annotated on Transfer Certificate of Title No. T-49247 and conversion of the said lot to residential lot pursuant to Article 631 (1) of the civil code registered in the name of Concepcion Medran and praying this Court for an order directing the Register of Deeds of this province to cancel the annotation on TCT No. T-49247 and the said road lot be converted to its former status as residential lot.

Finding the petition to be sufficient in form and substance, the OIC, Branch Clerk of Court is hereby directed to issue the required notice of hearing, which is set on November 9, 2022 at 8:30 in the morning in the sala of this Court, Hall of Justice, Pinamalayan, Oriental Mindoro.

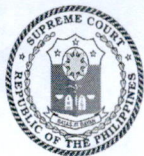
SO ORDERED.

Pinamalayan, Oriental Mindoro, September 5, 2022.

  
**HARRY D. JAMINOLA**  
Presiding Judge

HDJ/mgdr





Republic of the Philippines  
REGIONAL TRIAL COURT  
FOURTH JUDICIAL REGION  
BRANCH 41  
Pinamalayan, Oriental Mindoro

IN RE: PETITION FOR CANCELLATION  
OF ENCUMBRANCE OF EASEMENT OF RIGHT  
OF WAY ANNOTATED ON TCT NO. 29247 AND  
CONVERSION OF THE SAID ROAD LOT TO  
RESIDENTIAL LOT PURSUANT TO ARTICLE  
631 (1) OF THE CIVIL CODE,

**PET. LRC-125-22**

JUDITH M. ZAMORA, JOAN MOGOL, JOCELYN  
M. MONTECALVO, JEAN PENOHERMOSO,  
CELESTINO M. MOGOL, JESSICA M. PENOHERMOSO  
AND JONATHAN MOGOL,

Petitioner.

X-----X

**NOTICE OF HEARING**

TO:

**The Solicitor General**  
134 Amorsolo St.,  
Legaspi Village, Makati City

**The Hon. Administrator**  
LRA, East Avenue,  
Quezon City

**The Director of Lands**  
Bureau of Lands  
Plaza Cervantes, Binondo,  
Manila

**The Register of Deeds**  
Calapan City, Oriental Mindoro

**The Provincial Prosecutor**  
Pinamalayan, Or. Mindoro

**JUDITH M. ZAMORA**  
Pob. 3, Malayas, Victoria, Or. Mdo.

**JOAN M. MOGOL**  
Bulaklakan, Gloria, Oriental Mindoro

**JOCELYN M. MONTECALVO**  
Zone IV, Pinamalayan, Or. Mdo

**JEAN M. PENOHERMOSO**  
Zone IV, Pinamalayan, Or.. Mdo.

**CELESTINO M. MOGOL JR.**  
Zone IV, Pinamalayan, Or.. Mdo.

**JESSICA M./ PENOHERMOSO**  
Zone IV, Pinamalayan, Or.. Mdo.

**JONATHAN M. MOGOL**  
Zone IV, Pinamalayan, Or.. Mdo

**GREETINGS:**

You are hereby notified that the above-entitled petition will be heard on **NOVEMBER 9, 2022**  
**8:30 in the morning** in the sala of this court, Hall of Justice, Pinamalayan, Oriental Mindoro.

Also, notice is hereby given to all adjoining owners of the land covered by Transfer Certificate of  
Title T-492247 — containing an area of FIVE HUNDRED THRITY (530) square meters, located at  
Barangay Bulaklakan, Gloria, Oriental Mindoro.

Let copy of this notice be posted at the main entrance of the Provincial Capitol Building,  
Calapan City, in the bulletin board of the Municipal Building of Gloria, Oriental Mindoro, and in the  
bulletin board of Barangay Bulaklakan, Gloria, Oriental Mindoro, respectively where the property is  
located.

WITNESS THE **HONORABLE HARRY D. JAMINOLA**, Executive/Presiding Judge of this Court  
this 5<sup>th</sup> day September, 2022 at Pinamalayan, Oriental Mindoro.

*MA. GERALDINE M. PAN*  
**MA. GERALDINE M. PAN**  
Acting Branch Clerk of Court