



**Republic of the Philippines**  
Department of Environment and Natural Resources  
MIMAROPA REGION  
PROVINCIAL ENVIRONMENT AND NATURAL RESOURCES OFFICE

June 1, 2023

**MEMORANDUM**

**FOR** : The Regional Executive Director  
1515 DENR By the Bay Building  
Roxas Blvd., Barangay 668, Ermita, Manila

*Attention* : *The Chief, Legal Division*

**FROM** : The Provincial Environment and  
Natural Resources Officer

**SUBJECT** : **SERVICE OF COPIES OF THE DECISION IN DENR CASE  
NO. M-12-22-L ENTITLED PALNINO PADLIT, PROTESTANT  
VERSUS HA NO. 2-3731 (ENTRY NO. 2-3176) PROTESTEE,  
INVOLVING LOT NO, 847, PLS 96 LOCATED AT SITIO BAGNAO  
BARANGAY MAINIT, BROOKE'S POINT, PALAWAN**

Forwarded for information and record is the memorandum of CENRO Brooke's Point dated May 29, 2023 attached the report of May 29, 2023 by Special Investigator May Socrates informing the result of action taken on the subject matter.

Accordingly, the Decision of July 5, 2022 was successfully delivered to Mr. Stalwart Joseph Benedito, a great-nephew of the protestee Rosalio Benedito who died in the year 1982.

Attached is the copy of the subject Decision bearing the signatures as proof of receipt.

For the PENRO:



**ALEXANDER E. MANCIO**  
Supervising ECOMS/Office-In-Charge

Copy furnished:

The CENRO, Brooke's Point Palawan  
TSD/RPS DRN 2023-4915/lmo

DENR-PALAWAN  
PENRO-RECORDS  
**RELEASED**  
By *cha*  
Date: 07 JUN 2023 *23-16/2*



Republic of the Philippines  
Department of Environment and Natural Resources  
MIMAROPA Region  
**COMMUNITY ENVIRONMENT AND NATURAL RESOURCES OFFICE**  
Brooke's Point, Palawan

**REGION COPY**

May 29, 2023

**MEMORANDUM**

FOR : The Regional Executive Director  
DENR MIMAROPA Region  
1515 L & S Bldg., Roxas Blvd.  
Ermita, Manila

THRU : The Provincial Environment and  
Natural Resources Officer  
Sta. Monica, Puerto Princesa City

FROM : The Community Environment and  
Natural Resources Officer

SUBJECT : **SERVICE OF COPY OF THE DECISION IN DENR CASE  
NO. M-12-22-L ENTITLED PALNINO PADLIT,  
PROTESTANT VERSUS HA NO. 2-3731(ENTRY NO. 2-  
3176) PROTESTEE, "INVOLVING LOT NO. 847, PLS 96  
LOCATED AT SITIO BAGNAO BARANGAY MAINIT,  
BROOKE'S POINT, PALAWAN**

**DENR PENRO  
PALAWAN RECORDS  
RECEIVED**

BY: [Signature]  
DATE: 05-30-2023 CN 22-4915

This is in compliance with memorandum from the Chief, Legal Division dated January 04, 2023 instructing to cause the delivery of Decision dated July 05, 2022 regarding the above-subject case.

Relative thereto, respectfully forwarded herewith is the report submitted by Special Investigator I May Q. Socrates anent the above-subject for information and record.



**RELEASED**

DATE: MAY 29 2023

BY: [Signature]

CN: 2023-1307

*For and in the absence of the*

CENRO:

[Signature]

**JOSELITO A. EYALA**

FIII/ Deputy CENRO/ Chief, MES  
In-Charge, Office of the CENRO

Doc Ref No. 2023-1307/ RPS-MQS





Republic of the Philippines  
Department of Environment and Natural Resources  
MIMAROPA Region  
**COMMUNITY ENVIRONMENT AND NATURAL RESOURCES OFFICE**  
Brooke's Point, Palawan

May 29, 2023

SUBJECT: REPORT ON SERVICE OF COPY OF THE  
DECISION IN DENR CASE NO. M-12-22-L  
ENTITLED PALNINO PADLIT, PROTESTANT  
VERSUS HA NO. 2-3731 (ENTRY NO. 23170)  
PROTESTEE, "INVOLVING LOT NO. 847, PLS 96  
LOCATED AT SITIO BAGNAO BARANGAY  
MAINIT, BROOKE'S POINT, PALAWAN

The Community Environment and  
Natural Resources Officer  
Brooke's Point, Palawan

Sir:

In connection with the above subject covered by Document Referral No. 2023-1307, I have the honor to submit herewith my report of service of copy, to wit:

That on March 13, 2023, this Office received a Memorandum from The Chief, Legal Division of MIMAROPA dated January 04, 2023 requesting this Office to cause the delivery of certified true copy of the Decision dated July 05, 2022 to Rosalio Benedito or his representative for the case to consequently attain finality.

That after a thorough research and interview to the whereabouts of the parties involved, on May 26, 2023, the undersigned was able to locate the kin and successfully delivered the above-subject memorandum to one, Mr. Stalwart Joseph Benedito, great nephew of the Protestee-Rosalio Benedito. That upon interview with Mr. Benedito, it was found that his grand-uncle died in the year 1982 and that his immediate family members already migrated in the USA. A copy of proof receipt is hereto attached for your reference.

In view of the foregoing, it is respectfully recommended that this report be forwarded to the Regional Office thru the Provincial Environment and Natural Resources Office for record and reference purposes.

Very truly yours,

  
**MAY O. SOCRATES**  
Special Investigator I

**SUBSCRIBED AND SWORN** to before me, this 29<sup>th</sup> day of May 2023 at Brooke's Point, Palawan.

  
**MARIVIC C. QUITAIN**  
LMO III/ Chief, RPS





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

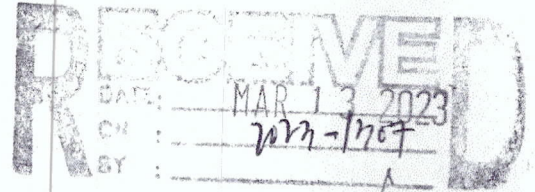
**OFFICE OF THE CENRO**  
BROOKE'S POINT, PALAWAN

**MEMORANDUM**

**FOR :** The CENR OFFICER  
Brooke's Point, Palawan

**FROM :** The Chief, Legal Division

**SUBJECT :** SERVICE OF COPY OF THE DECISION IN DENR CASE NO. M-12-22-L ENTITLED PALNINO PADLIT, PROTESTANT VERSUS H.A NO. 2-3731 (ENTRY NO. 2-3176) PROTESTEE," INVOLVING LOT NO. 847, PLS-96 SITIO BAGNAO, BARANGAY MAINIT BROOKE'S POINT, PALAWAN



**DATE :** JAN 04 2023

This has reference to the service to the party, **Rosalio Benedito**, by registered mail, of the copy of the Decision dated July 05, 2022 in the above-cited case, which was returned to sender (RTS) with the notation **Moved Out Manila**.

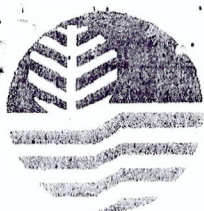
Relative thereto, may we respectfully request for your Office to cause the delivery of the certified true copy of the Decision, hereto attached, to the party or his representative for the case to consequently attain finality. Further, please furnish this office of the proof of service or acknowledgment immediately upon receipt thereof by the party.

  
**ATTY. GANDHI G. FLORES**

Copy furnished:

PENRO PALAWAN





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

Receiving Copy

**PALNINO PADLIT,**

Protestant,

-versus-

H.A. No. 2-3731 (Entry No. 2-3176)

**ROSALIO BENEDITO,**

Protestee.

X-----X

**DENR Case No. M-12-22-L**

Lot No. 847, Pls-96

Sitio Bagnao, Barangay Mainit

Brooke's Point, Palawan

Area: 99,718 square meters

### DECISION

This resolves the Protest dated April 21, 1969 filed by Palnino Padlit against the Homestead Application of Rosalio Benedito over Lot No. 847, Pls-96 situated in Sitio Bagnao, Barangay Mainit, Brooke's Point, Palawan.

An Order of Investigation dated April 25, 1969 docketed as DLO Claim No. (III-7) 245 was issued by then District Land Officer Diomedes Q. De Guzman directing the Investigator of then District to conduct an investigation thereon. Consequently, an Investigation Report was submitted by Special Investigator I Noel D. Jagmis on September 20, 1992.

The subject lot was verified to be within an alienable and disposable area under Project No. 12-A, Land Classification Map No. 884, certified on April 30, 1931 by the Bureau of Forestry.

### ALLEGATIONS IN THE PROTEST

Palnino Padlit died in 1972, but in his Protest, he alleged that he was a member of the national cultural minority (Palawano) and he occupied the subject lot in a continuous, public, notorious and adverse to the whole world, starting from the time when his late father occupied and cultivated the same even long before the outbreak of World War II. Further, the Protestant's improvements on the subject lot consisted of coconuts, bananas and several minor crops.

The Protestant also alleged that he was the one and only person who was in actual occupation of the entire land. Accordingly, Rosalio Benedito was an absentee applicant and that he has not seen the land in question nor has he introduced any sort of improvement. Palnino Padlit was substituted by his heirs in the investigation.

### STATUS REPORT

In compliance to the Memorandum dated May 21, 2021 issued by the Chief, Legal Division to the PENRO Palawan requesting for an updated status of the Homestead Application No. 2-3731 (E-2-3176) over the subject lot, a Report dated September 29, 2021 was submitted by Special Investigator I May Q. Socrates of CENRO Brooke's Point:

"Xxx.

Records verification show that Lot No. 847, PLS 96 containing an area of 99,718 square meters is located at So. Bagnao, Bgy. Mainit, Brooke's Point, Palawan. Subject lot is covered by the following applications and their status:

RECEIVED/NOTED  
MAY 8. 03. 2022  
MARLENE M. BADILLA  
Admin. Asst. III, Records Office, DENR Region  
Legal Division, DENR MIMAROPA Region



<b>Application No.</b>	<b>Name of Applicant</b>	<b>Area (ha)</b>	<b>Date Filed</b>	<b>Status/Remark</b>
Homestead Application No. 2-3731	ROSALIO BENEDITO	9.9718	June 20, 1960	With DLO Claim No. (III-7) 245
Unnumbered Free Patent Application	JODITH P. ASAN	3.000	March 03, 1997	Subsisting
Unnumbered Free Patent Application	ANTONIO S. QUENDO, SR	0.9888	December 03, 2002	Subsisting
Unnumbered Free Patent Application	ERNIE ATTAM	0.9888	December 03, 2002	Subsisting
Unnumbered Free Patent Application	GEORGE S. QUENDO	0.9888	December 03, 2002	Subsisting
Unnumbered Free Patent Application	AVELINO G. DELA TORRE	0.9888	December 03, 2002	Subsisting
Unnumbered Free Patent Application	JULIETA Q. CACANTIAN	0.9888	December 03, 2002	Subsisting
Unnumbered Free Patent Application	LARRY Q. DUBRIA	0.9888	December 03, 2002	Subsisting
Unnumbered Free Patent Application	FRANCISCO CAPINPIN	0.9888	December 03, 2002	Subsisting

That on September 22, 2021, the undersigned together with LMO I Audre Rose S. Ocampo conducted ocular inspection on the subject lot. On the ground, we found that the subject lot was occupied by the following persons who claims(sic) their occupation and possession were derived from Enrique Quindo and Palnino Padlit and presented to us the Plan PSD-04-193507 (AR) which was surveyed for Julieta Q. Cacaitan, et. al on October 08, 2006 by Geodetic Engineer Vincent D. Balisi and was approved on September 16, 2008 and lot titles issued under CARP enumerated below, to wit:

<b>TCT No.</b>	<b>TITLED(sic) HOLDER</b>	<b>LOT NO.</b>	<b>SURVEY NO.</b>	<b>AREA</b>	<b>DATE OF REGISTRATION</b>	<b>SERIAL NO.</b>
CARP2016000209	Belnison A. Garbon	847-A	PSD-04-193507 (AR)	10,000	December 23, 2014	01302266
CARP2016000210	Lawina P. Garbon	847-B		10,000	December 23, 2014	01302267
CARP2016000211	Pelnisio Legis	847-C		10,000	December 23, 2014	01302268
CARP2016000212	George S. Quindo	847-D		9,960	December 23, 2014	01302269
CARP2016000213	Norly Q. Capinpin	847-E		9,959	December 23, 2014	01302270
CARP2016000214	Fe Q. Dela Torre	847-F		9,960	December 23, 2014	01302271
CARP2016000215	Perla Q. Attam	847-G		9,960	December 23, 2014	01302272
CARP2016000216	Antonio S. Quindo	847-H		9,960	December 23, 2014	01302273
CARP2016000217	Luz Q. Dubria	847-I		9,959	December 23, 2014	01302274
CARP2016000218	Julieta Q. Cacaitan	847-J		9,960	December 23, 2014	01302275

xxx."

8.03.2022  
MARLENE A. BADILLA  
Admin. Asst. III/Records Officer-Designate  
Legal Division, DENR - MIMAROPA Region



## DISCUSSION AND RULING

We resolve to dismiss the instant Protest.

As the subject lot is already covered by various Certificates of Land Ownership Award (CLOAs) awarded by Department of Agrarian Reform (DAR) with corresponding Transfer Certificates of Title (TCTs) which have been duly registered, the DENR has already lost jurisdiction to hear and decide the case.

**WHEREFORE**, premises considered, the instant Protest is hereby **DISMISSED** for lack of jurisdiction. The following are hereby directed:

1. The Homestead Application No. 2-3731 (Entry No. 2-3176) of Rosalio Benedito over the subject lot is hereby **REJECTED/CANCELLED**; and,
2. All subsisting Unnumbered Free Patent Applications covering other portions of the subject lot should be rejected.

**SO ORDERED.**

City of Manila, Philippines. JUL 15 2022

  
**LORMELYN E. CLAUDIO, CESO IV**  
Regional Executive Director

Copy furnished:

**Palmino Padlit (+)**  
c/o Judith Padlit Asan  
Brgy. Mainit, Brooke's Point, Palawan

**Rosalio Benedito**  
Brooke's Point, Palawan

**PENRO Palawan**

**CENRO Brooke's Point, Palawan**

Received by: Julietta O. Cacatian (one of the title holders)  
on April 25, 2023

Received by: Stalwart Joseph Benedito  
Great Nephew of Rosalio Benedito  
received on May 26, 2023

 Department of Environment  
and Natural Resources  
MIMAROPA Region



Doc ID: 74244

MAY 8. 03. 2022  
**MARLENE M. BADILLA**  
Admin. Asst. III/ Records Office-Designate  
Legal Division, DENR MIMAROPA Region