

FILE



JAN 10 2024

MEMORANDUM

TO : The PENR Officer
Palawan

ATTENTION: The CENR Officer
Roxas, Palawan

FROM : The OIC, Regional Executive Director

SUBJECT : **LETTER DATED OCTOBER 3, 2023 FROM THE OFFICE OF THE SOLICITOR GENERAL RELATIVE TO THE REQUEST FOR ASSISTANCE OF ERLINDA P. GREGORIO**

This refers to the letter dated October 3, 2023 from the Office of the Solicitor General (OSG) relative to the request for assistance of Ms. Erlinda P. Gregorio to cancel Katibayan ng Orihinal na Titulo Blg. B-28836 in the name of Tomas Bogante. Said KOT covers an area of 5,184 square meters located in Barangay Sto. Niño, San Vicente, Palawan and is allegedly owned by her father, Carmelito Gregorio, thus, her request to cancel the title.

Perusal of the records show that, on March 19, 2009, a Complaint was filed by the Heirs of Macario T. Olitan, represented by Wilfredo T. Olitan and Carmelito Gregorio, for Annulment and Cancellation of Transfer Certificate of Title (TCT) Nos. E-28835 and E-28836 with Damages, against the Heirs of Leoncio Bogante, represented by Tomas Bogante and the Office of the Register of Deeds of the Province of Palawan before the Branch 95 of Regional Trial Court (RTC) in Puerto Princesa City and docketed as Civil Case No. 4506. Said TCTs cover Lot Nos. 3515 and 3516, Cad. 860-D situated in Barangay Sto. Niño, San Vicente, Palawan.

On February 29, 2016, a Decision was issued by the Honorable Paul B. Jagmis, Jr. dismissing the above case on the ground that the Plaintiffs have no legal capacity to sue.

Consequently, Mr. Gregorio filed an appeal before the Court of Appeals (CA), however, the same was dismissed in a Decision promulgated on January 12, 2018 and affirmed *in toto* the RTC Decision. Mr. Gregorio then moved to reconsider the CA Decision but denied in a Resolution dated April 11, 2019.

Thus, the OSG advised Ms. Erlinda P. Gregorio that her letter was indorsed to this Office for appropriate action, likewise, to determine whether there is a ground to file a case for cancellation of title and reversion.

In view of the above, the undersigned is requesting for a Certification relative to the land classification status over the lot covered by TCT Nos. E-22835 and E-28836 located in Barangay Sto. Niño, San Vicente, Palawan.

Attached herewith is a copy of related documents for your reference and perusal.

For appropriate action.


FELIX S. MIRASOL, JR., CESO IV

Copy furnished:

ASG Hermes L. Ocampo
Associate Solicitor Danielle Angela R. Lacap-Pagdonsolan
Office of the Solicitor General

The Undersecretary for Legal and Administration

The Assistant Secretary for Legal Affairs

The Director for Legal Affairs Service



Department of Environment
and Natural Resources
MIMAROPA Region



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