



Republic of the Philippines
Supreme Court
Manila

EN BANC

DEPARTMENT OF AGRARIAN
REFORM, now represented by
OIC-SEC. NASSER
PANGANDAMAN,
Petitioner,

G.R. No. 173386

- versus -

TRINIDAD VALLEY REALTY &
DEVELOPMENT
CORPORATION, FRANNIE
GREENMEADOWS PASTURES,
INC., ISABEL GREENLAND
AGRI-BASED RESOURCES,
INC., ISABEL
GREENMEADOWS QUALITY
PRODUCTS, INC., ERNESTO
BARICUATRO, CLAUDIO
VILLO and EFREN NUEVO,
Respondents.

X-----X

GRACE B. FUA, in her capacity
as the PROVINCIAL AGRARIAN
REFORM OFFICER OF
NEGROS ORIENTAL,
JOSELIDO S. DAYOHA, JESUS
S. DAYOHA and RODRIGO S.
LICANDA,
Petitioners,

G.R. No. 174162

- versus -

TRINIDAD VALLEY REALTY
AND DEVELOPMENT

CORPORATION, FRANNIE GREENMEADOWS PASTURES, INC., ISABEL GREENLAND AGRI-BASED RESOURCES, INC., ISABEL EVERGREEN PLANTATIONS INC., MICHELLE FARMS, INC. ISABEL GREENMEADOWS QUALITY PRODUCTS, INC., ERNESTO BARICUATRO, CLAUDIO VILLO and EFREN NUEVO,

Respondents.

x-----x

TRINIDAD VALLEY REALTY & DEVELOPMENT CORPORATION, FRANNIE GREENMEADOWS PASTURES, INC., ISABEL GREENLAND AGRI-BASED RESOURCES, INC., ISABEL GREENMEADOWS QUALITY PRODUCTS, INC., ERNESTO BARICUATRO, CLAUDIO VILLO and EFREN NUEVO,

Petitioners,

- versus -

THE REPUBLIC OF THE PHILIPPINES and THE LAND REGISTRATION AUTHORITY,

Respondents.

x-----x

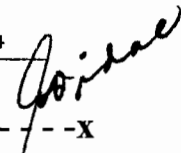
G.R. No. 183191

Present:

SERENO, C.J.,
CARPIO,
VELASCO, JR.,
LEONARDO-DE CASTRO,
BRION,
PERALTA,
BERSAMIN,
DEL CASTILLO,
ABAD,
VILLARAMA, JR.,
PEREZ,
MENDOZA,
REYES,
PERLAS-BERNABE, and
LEONEN, JJ.

Promulgated:

FEBRUARY 11, 2014



DECISION

VILLARAMA, JR., J.:

The consolidated petitions before us raise intertwined issues of jurisdiction over cases involving the implementation of Republic Act No. 6657, otherwise known as the “Comprehensive Agrarian Reform Law of



1988” (hereinafter, RA 6657). The petitions likewise question whether a regional trial court may exercise jurisdiction if the case also assails the constitutionality of administrative orders, regulations and other related issuances implementing the said law.

The following facts are common to the three cases under consolidation:

Trinidad Valley Realty and Development Corporation, Frannie Greenmeadows Pastures, Inc., Isabel Greenland Agri-based Resources, Inc., Isabel Evergreen Plantations, Inc., Michelle Farms, Inc., Isabel Greenmeadows Quality Products, Inc., Ernesto Baricuatro, Claudio Villo, and Efren Nuevo (hereinafter, Trinidad Valley Realty and Development Corporation, et al.) are the registered owners of a parcel of land in Vallehermoso,¹ Negros Oriental. The landholding consists of a total area of 641.7895 hectares – about 200 hectares thereof are devoted to the cultivation of sugar cane. The Department of Agrarian Reform (DAR) placed 479.8905 hectares of the said landholding under the coverage of RA 6657 between March 1995 and July 2000. Certificates of Land Ownership Award (CLOAs) and Transfer Certificates of Title (TCTs) were subsequently issued in favor of the agrarian reform beneficiaries.²

On June 10, 2004, Trinidad Valley Realty and Development Corporation, et al. filed before the Regional Trial Court (RTC), Branch 64, Guihulngan, Negros Oriental, a Petition for Declaration of Unconstitutionality Through Certiorari, Prohibition and Mandamus with Prayer for Preliminary Prohibitory Injunction and Restraining Order³ against the Land Registration Authority (LRA), the DAR, and the beneficiaries under the Comprehensive Agrarian Reform Program (CARP), docketed as **Special Civil Action No. 04-02-V**. In their Petition, Trinidad Valley Realty and Development Corporation, et al. made the following main allegations:

1. That the DAR committed grave abuse of discretion amounting to lack of jurisdiction when it committed the following acts: it passed Administrative Order No. 12, Series of 1989 and other related issuances which allowed the DAR to unilaterally choose beneficiaries other than those intended by the Constitution as beneficiaries; it subjected Trinidad Valley Realty and Development Corporation, et al.’s properties to compulsory acquisition, when it ordered the Land Bank to determine the valuation of Trinidad Valley Realty and Development Corporation, et al.’s land without any judicial pronouncement on just compensation; and, it unilaterally ordered the cancellation of petitioner’s title without court intervention when it issued final

¹ Also referred to as Villahermoso in some parts of the records.

² *Rollo* (G.R. No. 183191), p. 121.

³ Records, Vol. 1, pp. 7-77.

CLOAs to beneficiaries who are not yet owners of the land and without any court proceeding.

2. The valuation by Land Bank is not just compensation.
3. The Register of Deeds cannot cancel Trinidad Valley Realty and Development Corporation, et al.'s title without a court order.
4. The Land Bank, the LRA and the Register of Deeds also committed grave abuse of discretion when they cooperated to commit the aforementioned acts.⁴

The DAR⁵ filed its Answer⁶ asserting that (a) jurisdiction over all agrarian reform matters is exclusively vested in the DAR; (b) the Department of Agrarian Reform Adjudication Board (DARAB) Rules provides that the power to cancel or annul CLOAs is vested in the DARAB; and the jurisdiction of the RTC in agrarian reform matters is limited only to the determination of just compensation and prosecution of all criminal offenses under RA 6657; (c) the RTC has no jurisdiction over petitions for certiorari, prohibition and mandamus in agrarian reform cases, which is vested by Section 54 of RA 6657, in the Court of Appeals (CA); (d) the transfer of ownership and physical installation of the beneficiaries is authorized by RA 6657 as laid down in *Association of Small Landowners in the Phils., Inc. v. Hon. Secretary of Agrarian Reform*;⁷ (e) the petition is defective in form and substance; and (f) the CLOAs partake of the nature of a Torrens Title and their validity cannot be collaterally attacked.

Subsequently, Trinidad Valley Realty and Development Corporation, et al. filed a Motion for Leave to Amend Petition and for Admission of the Amended Petition⁸ in order to change the nature of the action from a *special civil action* of certiorari, prohibition and mandamus to an *ordinary action* of annulment of land titles. The DAR, et al. opposed the motion in its Opposition⁹ dated July 28, 2004.

On August 13, 2004, the RTC conducted a hearing on the propriety of admitting the amended petition. On October 26, 2004, it issued the assailed Order¹⁰ admitting the amended petition and ruling that it had jurisdiction over the case, *viz.*:

WHEREFORE, this Court rules and so holds that:

1. This Court has jurisdiction over the instant case;

⁴ Id. at 42-43.

⁵ Joined by private respondents.

⁶ Answer with Affirmative Defenses of Lack of Jurisdiction, Etc., records, Vol. 2, pp. 452-463.

⁷ 256 Phil. 777 (1989).

⁸ Records, Vol. 2, pp. 508-587. Received by DAR, et al. on July 26, 2004.

⁹ Records, Vol. 3, pp. 942-945.

¹⁰ Id. at 1232-1244. Penned by Presiding Judge Mario O. Trinidad.



2. The Amended Petition is admitted and defendants may file responsive pleadings or amendments to their original answers within ten [10] days from receipt hereof; and
3. The plaintiffs have not made out a case for the issuance of a temporary restraining order and/or the writ of preliminary prohibitory injunction, and therefore the plaintiffs' prayer for its issuance is denied.

SO ORDERED.¹¹

In an Urgent Omnibus Motion¹² dated December 2, 2004, LRA, et al. moved for reconsideration on the ground of lack of merit and jurisdiction. The DAR similarly filed a Motion for Reconsideration¹³ dated December 8, 2004 on the same ground of lack of jurisdiction. Both motions were denied by the RTC in its Order¹⁴ dated January 7, 2005.

In a petition for certiorari¹⁵ filed with the CA, the Republic of the Philippines, represented by the Solicitor General, and the LRA sought to annul the subject Order of the RTC on the following grounds: (1) the RTC does not have jurisdiction over the petition and amended petition of Trinidad Valley Realty and Development Corporation, et al. in view of Section 54 of RA 6657; (2) the RTC committed grave abuse of discretion in admitting the amended petition; and (3) the RTC did not acquire jurisdiction over the amended petition as the correct docket and other legal fees had not been paid.

By Decision¹⁶ and Resolution¹⁷ dated June 28, 2007 and May 21, 2008, respectively, the CA reversed and set aside the Order of the RTC, viz.:

WHEREFORE, in view of all the foregoing, the instant Petition is hereby **GRANTED** and the assailed Order of the court *a quo* is hereby **ANNULLED AND SET ASIDE**. The court *a quo* is hereby directed to **DISMISS** Civil Action No. 04-02-V, entitled "Trinidad Valley Realty and Development Corporation, et al. vs. The Honorable Jose Mari B. Ponce, et al." for lack of jurisdiction over the subject matter.

SO ORDERED.¹⁸

The CA ratiocinated that the RTC did not have jurisdiction over both the petition and amended petition filed by Trinidad Valley Realty and Development Corporation, et al. in view of Section 54 of RA 6657 which clearly provides that it is the CA, and not the RTC, which has jurisdiction over the case.¹⁹ The CA also reiterated the ruling of this Court in the

¹¹ Id. at 1244.

¹² Id. at 1332-1343.

¹³ Id. at 1346-1358.

¹⁴ Records, Vol. 4, pp. 1573-1574.

¹⁵ *Rollo* (G.R. No. 183191), pp. 355-388.

¹⁶ Id. at 120-132.

¹⁷ Id. at 24-27.

¹⁸ Id. at 131.

¹⁹ Id. at 124-129.

landmark case of *Association of Small Landowners in the Phils., Inc. v. Hon. Secretary of Agrarian Reform*²⁰ declaring the “Comprehensive Agrarian Reform Law” constitutional. Quoting the following portion of the landmark decision, the CA stressed that the ruling therein has, in effect, foreclosed any possible attack on the constitutionality of the law, viz.:

By the decision we reach today, all major legal obstacles to the comprehensive agrarian reform program are removed, to clear the way for the true freedom of the farmer. We may now glimpse the day he will be released not only from want but also from the exploitation and disdain of the past and from his own feelings of inadequacy and helplessness. At last his servitude will be ended forever. At last the farm on which he toils will be his farm. It will be his portion of the Mother Earth that will give him not only the staff of life but also the joy of living. And where once it bred for him only deep despair, now can he see in it the fruition of his hopes for a more fulfilling future. Now at last can he banish from his small plot of earth his insecurities and dark resentments and ‘rebuild in it the music and the dream.’²¹

On the issue of whether the RTC committed grave abuse of discretion in admitting the amended petition, the CA declared that while the Rules of Court allow amendments which substantially alter the nature of the cause of action in order to serve the higher interest of substantial justice, prevent delay and promote the objective of the Rules to secure a just, speedy and inexpensive disposition of every action and proceeding, the admission by the RTC of the amended petition was not proper and should have been denied.²² Prescinding from its ruling that the RTC did not have jurisdiction over the original petition, the CA held that the RTC consequently did not have authority to order the admission of Trinidad Valley Realty and Development Corporation, et al.’s amended complaint in order for it to acquire jurisdiction over the subject matter.²³ In view of these dispositions, the CA deemed it unnecessary to discuss the third issue.

Trinidad Valley Realty and Development Corporation, et al. moved for reconsideration²⁴ and reiterated that judicial review was within the jurisdiction of the lower court and that the requirements for raising the constitutionality issues had been complied with. It also stressed that the amendment of the complaint did not change the cause of the action of unconstitutionality and that the case was already pending before this Court.

The CA denied the motion for reconsideration on the ground that no new arguments were raised to warrant a reexamination of its ruling on the issue of the lack of jurisdiction of the RTC.²⁵ As to the averment of Trinidad Valley Realty and Development Corporation, et al. that the CA’s assailed June 28, 2007 Decision was already rendered moot and academic by

²⁰ Supra note 7.

²¹ *Rollo* (G.R. No. 183191), p. 124.

²² *Id.* at 129-130.

²³ *Id.* at 130.

²⁴ *Id.* at 462-491.

²⁵ *Id.* at 24-27.

a judgment of the RTC dated October 17, 2005 in Civil Case No. 04-013-V, entitled "*Trinidad Valley Realty and Development Corporation, et al. v. The Honorable Rene Villa, in his capacity as Secretary of DAR, et al.*," the CA pointed out that what was challenged in the petition filed before it was **Special Civil Action No. 04-02-V**, entitled "*Trinidad Valley Realty and Development Corporation, et al. v. Jose Mari B. Ponce, in his capacity as Secretary of DAR, et al.*"²⁶ The CA further stated in its assailed Resolution, *viz.*:

Be that as it may, it must be emphasized that the subject matter of the instant petition is the jurisdiction of the court *a quo* to try and hear [Special Civil Action] No. 04-02-V. Accordingly, this Court ruled that the court *a quo* does not have jurisdiction to try the case.

Granting *arguendo* that Civil Case No. 04-013-V and [Special Civil Action] No. 04-02-V are the same, the June 28, 2007 Decision of this Court cannot be rendered moot and academic by the judgment of the court *a quo* in Civil Case No. 04-013-V. As correctly pointed out by the Office of the Solicitor General, a decision rendered by a court or tribunal without jurisdiction is null and void; hence, it's as if no decision was ever rendered by the court *a quo*.

Accordingly, the instant Motion for Reconsideration is hereby DENIED.²⁷

Trinidad Valley Realty and Development Corporation, et al. now appeals to this Court by way of Petition for Review on Certiorari²⁸ raising substantially the principal issue of whether the RTC has jurisdiction over the original and amended petitions.

We shall resolve this issue in consolidation with two other petitions filed before this Court – G.R. No. 173386 (*DAR, et al. v. Trinidad Valley Realty & Development Corporation, et al.*) and G.R. No. 174162 (*Grace B. Fua, in her capacity as Provincial Reform Officer of Negros Oriental, et al. v. Trinidad Valley Realty & Development Corporation, et al.*). Both petitions stemmed from the assailed Decision²⁹ later issued by the RTC dated October 17, 2005 – the same RTC Decision that Trinidad Valley Realty and Development Corporation, et al. had brought to the attention of the CA in their motion for reconsideration. The RTC Decision was reached after it issued its assailed Order in Special Civil Action No. 04-02-V – ruling that it had jurisdiction over the original petition (special civil action of certiorari, prohibition and mandamus) and therefore had the authority to admit the amended petition (ordinary action of annulment of land titles). Pre-trial proceeded in the ordinary action which was **re-docketed as Civil Case No. 04-013-V**. There being no factual issue involved, the case was submitted for judgment based on the pleadings. The resulting assailed judgment on the pleadings declared as unconstitutional and void the

²⁶ Id. at 25-26.

²⁷ Id. at 26.

²⁸ Id. at 33-106.

²⁹ Id. at 492-605.

following administrative issuances of the DAR and the LRA, Executive Order No. 405, and other related issuances, *viz.*:

- i. Administrative Order No. 10, Series of 1989 - Registration/Selection of Beneficiaries - DAR chooses beneficiaries under A.O. No. 10, Series of 1989 using as its basis, Section 22 of RA 6657 allowing farmers, farmworkers, or any person who is landless to become a beneficiary of any private agricultural land. Under this Administrative Order, not only farmworkers or farmers working on a particular land are entitled to become beneficiaries, but any person who is landless, in short a non-tiller of the land, as long as he is capable and willing to become such a beneficiary.
- ii. Administrative Orders No. 12, Series of 1989, No. 9, Series of 1990 and No. 2, Series of 1996 allows DAR to place under compulsory coverage all private agricultural land by merely sending a notice of coverage; these administrative orders covering the same subjects, supersede one another from its earliest which is A.O. 12, Series of 1989, through Administrative Order No. 9, and polished into its last reincarnation, Administrative Order No 2, Series of 1996. Under these Orders, DAR granted itself the following powers which it has enforced: [1] to compulsorily acquire all private agricultural lands; [2] to order Land Bank to determine just compensation; and [3] to cancel the landowner's title and transfer the land to the Republic of the Philippines [RP];
- iii. Administrative Order No. 10, Series of 1990 authorizes DAR to cancel the RP title and issue final titles called Certificate of Land Ownership Award [CLOAs] which in turn it uses as basis to distribute private agricultural lands covered to beneficiaries;
- iv. Joint DAR-LRA Memorandum Circular No. 20, Series of 1997 and all other previous DAR-LRA Memorandum Circulars are a series of agreements whereby DAR and the LRA agreed that the Registers of Deeds under LRA shall cancel landowners' titles upon the request or directive of DAR, and thereafter register final titles to beneficiaries called Certificates of Land Ownership Award;
- v. Executive Order No. 405 promulgated by President Aquino which is interpreted by DAR as authorizing Land Bank to determine just compensation;
- vi. All other Administrative Orders and related issuances that prescribe substantially the same procedure as the above-foregoing Orders and Regulations existing or to be issued by the DAR with the same intent and effect in prescribing a non-judicial process of land acquisition.³⁰

The RTC also annulled the CLOAs issued by the DAR and issued a permanent prohibitory injunction³¹ restraining private defendant beneficiaries, DAR defendants and other entities from exercising acts of possession, dispossession or ownership over any portion of the subject property, and preventing the DAR from subjecting the landholdings of

³⁰ Id. at 603-604.

³¹ In an Order dated April 18, 2006, the RTC granted an Ex-Parte Motion for Enforcement of Writ of Permanent Injunction filed by Trinidad Valley Realty and Development Corporation, et al. Original Records, Vol. 1, pp. 1-5.

Trinidad Valley Realty and Development Corporation, et al. under the coverage of agrarian reform through the implementation of the administrative orders and issuances.³²

Hence, the Petitions for Review on Certiorari filed in G.R. Nos. 173386³³ and 174162³⁴ posing the same intersecting jurisdictional question in these consolidated cases: Whether the RTC had jurisdiction over the original and amended petitions filed by Trinidad Valley Realty and Development Corporation, et al.

It is a cardinal principle in remedial law that the jurisdiction of a court over the subject matter of an action is determined by the law in force at the time of the filing of the complaint and the allegations of the complaint.³⁵ Jurisdiction is determined exclusively by the Constitution and the law and cannot be conferred by the voluntary act or agreement of the parties. It cannot also be acquired through or waived, enlarged or diminished by their act or omission, nor conferred by the acquiescence of the court. It is neither for the court nor the parties to violate or disregard the rule, this matter being legislative in character.³⁶ The nature of an action, as well as which court or body has jurisdiction over it, is determined based on the allegations contained in the complaint of the plaintiff, irrespective of whether or not the plaintiff is entitled to recover upon all or some of the claims asserted therein. The averments in the complaint and the character of the relief sought are the ones to be consulted. Once vested by the allegations in the complaint, jurisdiction also remains vested irrespective of whether or not the plaintiff is entitled to recover upon all or some of the claims asserted therein.³⁷

In the case at bar, the CA has correctly and succinctly synthesized that both the original petition for the “Declaration of Unconstitutionality Through Certiorari, Prohibition and Mandamus with Prayer for Preliminary Prohibitory Injunction and Restraining Order” and the amended petition for “Judicial Review Through an Action to Annul Titles, and Mandatory and Prohibitory Injunctions with Prayer for Preliminary Prohibitory Injunction and Restraining Order” contain the same allegations, *viz.*:

x x x that beneficiaries are not those intended by the Constitution as beneficiaries; that subject properties cannot be subjected to compulsory acquisition because its farm operations are under labor administration; that the valuation of the land was not judicially

³² *Rollo* (G.R. No. 183191), pp. 600-605.

³³ In G.R. No. 173386, petitioners raised two main issues: that the RTC has no jurisdiction over petitions for certiorari involving acts of the DAR; and, that the RTC erred in ruling that Trinidad Valley Realty and Development Corporation, et al. did not resort to forum shopping.

³⁴ In G.R. No. 174162, petitioners raised the same issues posited in G.R. No. 173386.

³⁵ *DAR v. Paramount Holdings Equities, Inc., et al.*, G.R. No. 176838, June 13, 2013, p. 8; *Padlan v. Dinglasan*, G.R. No. 180321, March 20, 2013, 694 SCRA 91, 98-99; *Bank of Commerce v. Planters Development Bank*, G.R. Nos. 154470-71 and G.R. Nos. 154589-90, September 24, 2012, 681 SCRA 521, 548-549; *Mendoza v. Germino*, G.R. No. 165676, November 22, 2010, 635 SCRA 537, 544. Citations omitted.

³⁶ *Mendoza v. Germino and Germino*, *id.*, citing *Oca v. Court of Appeals*, 428 Phil. 696, 701-702 (2002).

³⁷ *Padlan v. Dinglasan*, *supra* note 35, citing *City of Dumaguete v. Philippine Ports Authority*, G.R. No. 168973, August 24, 2011, 656 SCRA 102, 119.

determined; that the cancellation of petitioners' title over the subject properties and the issuance of Certificates of Land Ownership Award were effected without any court intervention; that a case for expropriation should have been filed in court; and that certain DAR Administrative Orders are unconstitutional.³⁸

We also agree with the assessment of the appellate court that these allegations assail the acts of the DAR in awarding the CLOAs to the beneficiaries and question the procedure in fixing the compensation – acts which pertain to the very “application, implementation, enforcement or interpretation”³⁹ of RA 6657 or the agrarian reform law and other pertinent laws on agrarian reform.

Section 54 of RA 6657 leaves no room for doubt that decisions, orders, awards or rulings of the DAR may be brought to the CA by certiorari and not with the RTC through an ordinary action for cancellation of title, as in the instant case:

SECTION 54. *Certiorari*. - Any decision, order, award or ruling of the DAR on any agrarian dispute or on any matter pertaining to the application, implementation, enforcement, or interpretation of this Act and other pertinent laws on agrarian reform may be brought to the Court of Appeals by certiorari except as otherwise provided in this Act within fifteen (15) days from the receipt of a copy thereof.

The findings of fact of the DAR shall be final and conclusive if based on substantial evidence. (Emphasis and underscoring supplied.)

An examination of the records⁴⁰ in the instant case would show that Trinidad Valley Realty and Development Corporation had actually brought the matter to the DAR *prior* to its filing of the original and amended petitions with the RTC. The following incidents on record reveal an acknowledgment by Trinidad Valley Realty and Development Corporation that the case indeed involves issues relating to the application, implementation, enforcement or interpretation of RA 6657, *viz.*:

1. Trinidad Valley Realty and Development Corporation had originally filed a case with the DARAB for Cancellation of CLOA, Injunction and Damages with prayer for the issuance of a Temporary Restraining Order. The subject property covered the same landholding in the instant case covering the same area of 641.7895 hectares. The case was dismissed by the DAR Provincial Adjudicator in an Order dated March 31, 1997 on the ground that the matters raised by Trinidad Valley Realty and Development Corporation involved the administrative implementation of RA 6657. The case was then treated as a protest against CARP

³⁸ *Rollo* (G.R. No. 183191), p. 125.

³⁹ Sec. 54, RA 6657.

⁴⁰ See Order dated March 17, 2004, issued by then OIC-Secretary Jose Mari B. Ponce, *rollo* (G.R. No. 174162), Vol. I, pp. 297-302.

coverage. It was again dismissed in an Order dated November 19, 1997 for lack of merit.⁴¹

2. A Motion for Reconsideration dated December 15, 1997 was filed seeking for a reversal and exemption of those areas with a slope of 18% and above from CARP coverage. An addendum to the Motion for Reconsideration dated February 2, 1998 was also filed wherein Trinidad Valley Realty and Development Corporation manifested, among others, its voluntary offer to sell to the government a one hundred-hectare portion of the subject land. For utter lack of merit, both motions were dismissed by the DAR Regional Director on August 7, 1998 and the order dated November 19, 1997 was affirmed.⁴²
3. On September 25, 1998, an appeal was filed before the Office of the Secretary. An Appeal Memorandum later filed on November 10, 1998 raised the following issue on whether the subject landholding was properly subjected to CARP coverage. The Office of the Secretary denied the appeal for lack of merit in an Order dated March 17, 2004. The Order stated that the subject lands have a slope of 18% and were already developed as of June 15, 1988. Furthermore, the Order also stated that at the time of the resolution of the Appeal therein, the subject land was already being occupied by farmer-beneficiaries with their respective CLOAs which cannot be attacked collaterally. The Order also held that Trinidad Valley Realty and Development Corporation failed to prove, by substantial evidence, that the areas that it wanted to be exempted from CARP coverage due to the 18% slope limitation are non-productive and less suitable for agricultural use.⁴³

This Order which was issued by the then DAR OIC-Secretary was not appealed by protestant Trinidad Valley Realty and Development Corporation to the CA. This Order is exactly in the nature of any such “decision, order, award or ruling” of the DAR on any agrarian dispute or on any matter pertaining to the application, implementation, enforcement, or interpretation of this Act and other pertinent laws on agrarian reform which may be brought to the CA by certiorari, except as otherwise provided in RA 6657, within fifteen (15) days from receipt thereof – and not to the RTC. It is also significant to note that in the proceedings before the DAR involving the protest of Trinidad Valley Realty and Development Corporation, the issue on the unconstitutionality of the subject administrative issuances promulgated to implement RA 6657 was never raised – an issue that must have been raised at the earliest possible opportunity.

The jurisdictional shifts on the authority to hear and decide agrarian reform matters is instructive:

⁴¹ Id. at 298.

⁴² Id. at 298-299.

⁴³ Id. at 299-301.

x x x in 1980, upon the passage of Batas Pambansa Blg. 129, otherwise known as the Judiciary Reorganization Act, the Courts of Agrarian Relations were integrated into the Regional Trial Courts and the jurisdiction of the former was vested in the latter courts.

However, with the enactment of Executive Order No. 229, which took effect on August 29, 1987, the Regional Trial Courts were divested of their general jurisdiction to try agrarian reform matters. The said jurisdiction is now vested in the Department of Agrarian Reform.

Republic Act No. 6657, the Comprehensive Agrarian Reform Law, which took effect on June 15, 1988, contains provisions which evince and support the intention of the legislature to vest in the Department of Agrarian Reform exclusive jurisdiction over all agrarian reform matters.

Section 50, of said law substantially reiterates Section 17, of Executive Order No. 229, vesting in the Department of Agrarian Reform exclusive and original jurisdiction over all matters involving the implementation of agrarian reform, to wit:

“SECTION 50. Quasi-Judicial Powers of the DAR.

The DAR is hereby vested with primary jurisdiction to determine and adjudicate agrarian reform matters and shall have exclusive original jurisdiction over all matters involving the implementation of agrarian reform, except those falling under the exclusive jurisdiction of the Department of Agriculture (DA) and the Department of Environment and Natural Resources (DENR).”

In addition, Sections 56 and 57, thereof provide for the designation by the Supreme Court of at least one (1) branch of the Regional Trial Court within each province to act as a special agrarian court. The said special court shall have original and exclusive jurisdiction only over petitions for the determination of just compensation to landowners and the prosecution of criminal offenses under said Act. Said provisions thus delimit the jurisdiction of the Regional Trial Courts in agrarian cases only to these two instances. Thus:

“SEC. 56. Special Agrarian Court. - The Supreme Court shall designate at least one (1) branch of the Regional Trial Court (RTC) within each province to act as a Special Agrarian Court.

“The Supreme Court may designate more branches to constitute such additional Special Agrarian Courts as may be necessary to cope with the number of agrarian cases in each province. In the designation, the Supreme Court shall give preference to the Regional Trial Courts which have been assigned to handle agrarian cases or whose presiding judges were former judges of the defunct Court of Agrarian Relations. x x x.”

“SEC. 57. Special Jurisdiction. - The Special Agrarian Courts shall have original and exclusive jurisdiction over all petitions for the determination of just compensation to landowners, and the prosecution of all criminal offenses under this Act. The Rules of Court shall

apply to all proceedings before the Special Agrarian Courts unless modified by this Act.

“The Special Agrarian Courts shall decide all appropriate cases under their special jurisdiction within thirty (30) days from submission of the case for decision.”⁴⁴

The case at bar deals with acts of the DAR and the application, implementation, enforcement, or interpretation of RA 6657 – issues which do not involve the “special jurisdiction” of the RTC acting as a Special Agrarian Court. Hence, when the court *a quo* heard and decided the instant case, it did so without jurisdiction.

The Court likewise ruled in the similar case of *DAR v. Cuenca*⁴⁵ that “[a]ll controversies on the implementation of the Comprehensive Agrarian Reform Program (CARP) fall under the jurisdiction of the Department of Agrarian Reform (DAR), even though they raise questions that are also legal or constitutional in nature.” In said case, it was noted that the main thrust of the allegations in the Complaint was the propriety of the Notice of Coverage and “not x x x the ‘pure question of law’ spawned by the alleged unconstitutionality of EO 405 – but x x x the annulment of the DAR’s Notice of Coverage.”⁴⁶ The Court thus held that:

To be sure, the issuance of the Notice of Coverage constitutes the first necessary step towards the acquisition of private land under the CARP. Plainly then, the propriety of the Notice relates to the implementation of the CARP, which is under the quasi-judicial jurisdiction of the DAR. **Thus, the DAR could not be ousted from its authority by the simple expediency of appending an allegedly constitutional or legal dimension to an issue that is clearly agrarian.**⁴⁷
(Emphasis supplied)

The legal recourse undertaken by Trinidad Valley Realty and Development Corporation, et al. is on all-fours with the remedy adopted by the private respondents in *Cuenca*. In this case, Trinidad Valley Realty and Development Corporation, et al. cloaked the issue as a constitutional question – assailing the constitutionality of administrative issuances promulgated to implement the agrarian reform law – in order to annul the titles issued therein. In *Cuenca*, private respondents assailed the constitutionality of EO 45 in order to annul the Notice of Coverage issued therein. The only difference is that in *Cuenca*, private respondents directly filed with the RTC their complaint to obtain the aforesaid reliefs while in this case, Trinidad Valley Realty and Development Corporation, et al. filed their original petition for certiorari with the RTC *after* the protest of Trinidad Valley Realty and Development Corporation against the coverage of its landholding under CARP was dismissed by the DAR Regional Director and such dismissal was affirmed by DAR OIC Secretary Jose Mari

⁴⁴ *Rollo* (G.R. No. 183191), pp. 127-128.

⁴⁵ 482 Phil. 208, 211 (2004).

⁴⁶ *Id.* at 223.

⁴⁷ *Id.* at 226.

B. Ponce. But in both cases, it is evident that the constitutional angle was an attempt to exclude the cases from the ambit of the jurisdictional prescriptions under RA 6657.

The Court further stated in *Cuenca* that “in case of doubt, **the jurisprudential trend is for courts to refrain from resolving a controversy involving matters that demand the special competence of administrative agencies, ‘even if the question[s] involved [are] also judicial in character.’**”⁴⁸ In the instant case, however, there is hardly any doubt that the RTC had no jurisdiction over the subject matter of the case. Consequently, it did not have authority to perform any of the following: order the admission of the amended petition of Trinidad Valley Realty and Development Corporation, et al., decide the amended petition on the merits, or issue a permanent prohibitory injunction. In any case, such injunction issued by the RTC is a nullity in view of the express prohibitory provisions of the CARP and this Court’s Administrative Circular Nos. 29-2002 and 38-2002 enjoining all trial judges to strictly observe Section 68 of RA 6657, viz.:

SECTION 68. *Immunity of Government Agencies from Undue Interference.* – No injunction, restraining order, prohibition or *mandamus* shall be issued by the lower courts against the Department of Agrarian Reform (DAR), the Department of Agriculture (DA), the Department of Environment and Natural Resources (DENR), and the Department of Justice (DOJ) in their implementation of the program.

Given our ruling that the RTC lacked jurisdiction over the instant case, we find no necessity to address the other issues raised in the three consolidated petitions.

WHEREFORE, the Petition in G.R. No. 183191 is **DENIED** for lack of merit. The assailed Decision and Resolution of the Court of Appeals in CA-G.R. SP No. 88512 dated June 28, 2007 and May 21, 2008, respectively, are hereby **AFFIRMED**. The Petitions in G.R. Nos. 173386 and 174162 are hereby **GRANTED**. The challenged Order in Special Civil Action No. 04-02-V, entitled *Trinidad Valley Realty and Development Corporation, et al. v. Jose Mari B. Ponce, in his capacity as Secretary of DAR, et al.* dated October 26, 2004 and the Decision in Civil Case No. 04-013-V, entitled *Trinidad Valley Realty and Development Corporation, et al. v. The Honorable Rene Villa, in his capacity as Secretary of DAR, et al.* dated October 17, 2005 of the Regional Trial Court, Branch 64, Guihulngan, Negros Oriental are hereby **ANNULLED and SET ASIDE** for lack of jurisdiction. The Regional Trial Court, Branch 64, Guihulngan, Negros Oriental is likewise ordered to **DISMISS** herein Special Civil Action No. 04-02-V and Civil Case No. 04-013-V for lack of jurisdiction. The Writ of Permanent Prohibitory Injunction dated April 18, 2006 issued by the said court by virtue of its Order on even date is hereby **LIFTED and SET ASIDE**.

⁴⁸ Id.


With costs against the petitioners in G.R. No. 183191.

SO ORDERED.

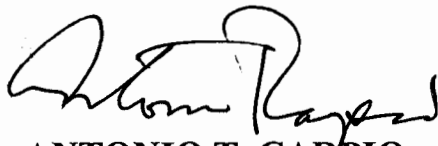


MARTIN S. VILLARAMA, JR.
Associate Justice

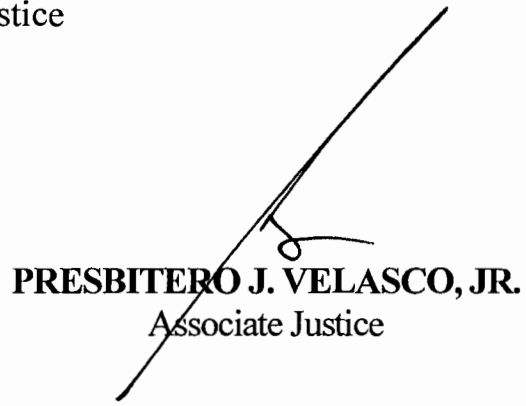
WE CONCUR:



MARIA LOURDES P. A. SERENO
Chief Justice



ANTONIO T. CARPIO
Associate Justice



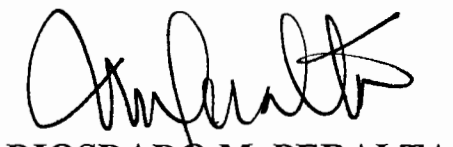
PRESBITERO J. VELASCO, JR.
Associate Justice



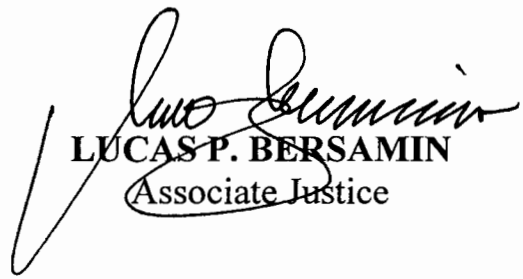
TERESITA J. LEONARDO-DE CASTRO
Associate Justice



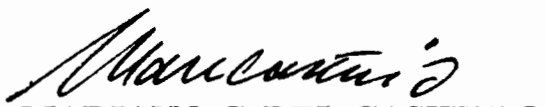
ARTURO D. BRION
Associate Justice




DIOSDADO M. PERALTA
Associate Justice



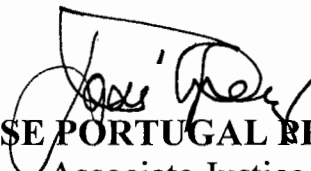
LUCAS P. BERSAMIN
Associate Justice



MARIANO C. DEL CASTILLO
Associate Justice





ROBERTO A. ABAD
Associate Justice


JOSE PORTUGAL PEREZ
Associate Justice


JOSE CATRAL MENDOZA
Associate Justice

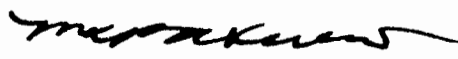

BIENVENIDO L. REYES
Associate Justice


ESTELA M. PERLAS-BERNABE
Associate Justice


MARVIC MARIO VICTOR F. LEONEN
Associate Justice

CERTIFICATION

Pursuant to Section 13, Article VIII of the 1987 Constitution, it is hereby certified that the conclusions in the above Decision had been reached in consultation before the case was assigned to the writer of the opinion of the Court.


MARIA LOURDES P. A. SERENO
Chief Justice

