



**Republic of the Philippines
Supreme Court
Manila**

FIRST DIVISION

HEIRS OF CORNELIO MIGUEL,
Petitioners,

G.R. No. 158916

Present:

SERENO, C.J.,
Chairperson,
LEONARDO-DE CASTRO,
BERSAMIN,
VILLARAMA, JR., and
REYES, JJ.

— versus —

Promulgated:

HEIRS OF ANGEL MIGUEL,
Respondents.

MAR 19 2014



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DECISION

LEONARDO-DE CASTRO, J.:

This an appeal from the Decision¹ dated January 31, 2003 of the Court of Appeals in CA-G.R. CV No. 50122 dismissing the appeal of the petitioners, the heirs of Cornelio Miguel, and affirming the Order² dated March 21, 1995 of the Regional Trial Court (RTC) of Puerto Princesa City, Palawan, Branch 51 in Civil Case No. 2735 which dismissed the petitioners' complaint for the nullification of deeds of donation and reconveyance of property.

While blood may be thicker than water, land has caused numerous family disputes which are oftentimes bitter and protracted. This case is another example.

¹ *Rollo*, pp. 17-23; penned by Associate Justice Danilo B. Pine with Associate Justices Eugenio S. Labitoria and Renato C. Dacudao, concurring.
² *Id.* at 184-189.



The petitioners are the surviving children of the deceased Cornelio Miguel, while the respondents are the widow and the children of the petitioners' own brother, Angel Miguel.³

Cornelio Miguel was the registered owner under Original Certificate of Title (OCT) No. S-14 of a 93,844 sq.m. parcel of land situated at Barrio Calero, Puerto Princesa City in Palawan. He had the property subdivided into ten smaller lots which were designated as Lots A to J of Psd-146880. Cornelio sold nine of the lots to his children, with Lot G going to his son Angel, predecessor-in-interest of the respondents in this case. The remaining lot, Lot J, Cornelio kept for himself and his wife, Nieves.⁴

The spouses Cornelio and Nieves were the registered owners of another property in Calero, Puerto Princesa City with an area of 172,485 sq.m. It was designated as Lot 2 of Psd-146879 and covered by OCT No. G-211. The land was subsequently subdivided into nineteen smaller lots.⁵

In a deed of donation⁶ *inter vivos* dated December 28, 1973, the spouses Cornelio and Nieves donated two lots to Angel. One of the lots was described in the deed of donation as follows:

LOT 2-J, (LRC) 146880

A parcel of land (Lot 2-J of the subdivision plan (LRC) Psd-146880, being a portion of a parcel of land described on plan S1-13184, LRC Rec. No. 5, Pat. No. V-3), situated in the Barrio of Calero, Municipality of Puerto Princesa, Province of Palawan, Island of Palawan. Bounded on the NE., points 4 to 5 by Lot I; on the E., SE., and SW., point[s] 5 to 7, 7 to 1 and 1 to 3 by Lot K (proposed road widening); and on the W., points 3 to 4 by Lot F, all of the subdivision plan. Beginning at a point marked "1" on plan being S., 65 deg. 37°E., 285.42 m. from BLBM 1, Bo. of Tiniguiban, Puerto Princesa.

thence	N. 60 deg.	49°W.,	91.32 m.	to	point 2;
thence	N. 64 deg.	18°W.,	37.61 m.	to	point 3;
thence	N. 7 deg.	17°E.,	33.74 m.	to	point 4;
thence	S. 81 deg.	20°E.,	146.06 m.	to	point 5;
thence	S. 2 deg.	24°W.,	94.80 m.	to	point 6;
thence	S. 79 deg.	55°W.,	11.12 m.	to	point 7;
thence	N. 39 deg.	34°W.,	31.64 m.	to	point of beginning;

containing an area of NINE THOUSAND ONE HUNDRED NINETY[-] SEVEN (9,197) SQUARE METERS, more or less. Assessed ₱1,843.06 under Tax Declaration No. 4-3-1922-O of the Office of the City Assessor of Puerto Princesa City, Philippines.⁷

Angel accepted the donation in the same instrument.⁸

³ Id. at 4.

⁴ Id. at 18.

⁵ Id.

⁶ Records, pp. 18-20, Deed of Donation of Real Property.

⁷ Id. at 19.

⁸ Id.

The donation of the property described above became the subject of various suits between Cornelio, Angel, and Angel's siblings, and also between Angel's siblings and Angel's children.

I. Spl. Proc. No. 444

On March 25, 1977, Angel filed a petition for the issuance of a new owner's duplicate of OCT No. S-14 to replace his father Cornelio's copy which was allegedly eaten and destroyed by white ants. The petition was docketed as Spl. Proc. No. 444 and assigned to the Court of First Instance of Palawan, Branch II.⁹

After hearing, the trial court granted Angel's petition. The relevant portions of the Decision dated June 27, 1977 read as follows:

From the evidence adduced, it appears that the Owner's Original Certificate of Title exists in the archives of the Registry of Deeds of Puerto Princesa City. The notice of hearing together with the petition was posted on the bulletin boards of the Capitol Building of this province at Puerto Princesa, at the City Hall and on the premises of the property in Barrio San Pedro, where the land is located.

Petitioner Angel M. Miguel testifying for and in his behalf alleged that a parcel of land covered by Original Certificate of Title No. S-14 is in the name of his parents Cornelio Miguel and Nieves Malabad; that this land has been subdivided and that Petitioner has acquired two (2) lots, [letters] "G" and "J" from his parents; that he could not secure the title to these lots from the City Register of Deeds of Puerto Princesa because the latter required him to produce the owner's duplicate certificate of title of the mother land; that petitioner then went to his father to borrow the said owner's certificate of title as required by the City Register of Deeds of Puerto Princesa City; that forthwith, Mr. Cornelio Miguel went to get the title from a certain [carton] where he had his other important papers secured in a room in his house; that to his amazement, he found only bits of [paper], once constituting a solid piece which was his duplicate of his original certificate of title; that the same is now completely beyond recognition and, for all purpose, a complete destruction. Petitioner further [alleged] that the two (2) lots involved have not been delivered to anybody, neither have they been encumbered to secure the performance of any obligation whatsoever. Petitioner has declared the property for tax purposes and is up-to-date in payment of taxes to the government.

The court is convinced that petitioner is a person in interest within the [contemplation] of law.

The requisites of law having been complied with and the evidence adduced satisfactory, the Court believes that for reasons of public interest and in fairness to the petitioner, the relief sought for should be granted.

⁹ Id. at 333.

WHEREFORE, in view of the foregoing, the Register of Deeds of Puerto Princesa City, is hereby directed to issue a New Owner's Duplicate Certificate of Title No. S-14, in lieu of the one destroyed, which is the subject of this proceeding. Such title shall contain a memorandum stating that it is issued in lieu of the destroyed one but shall, in all respects, be deemed to be of the same effect as the destroyed owner's duplicate certificate of title for all intents and purposes under the Land Registration Act.

A copy of this order shall be furnished the Register of Deeds of Puerto Princesa City.¹⁰

The Decision was not contested or appealed and became final and executory.¹¹

II. Civil Case No. 1185

Subsequently, however, on December 12, 1977, Cornelio filed a complaint for the annulment of the deed of donation on the alleged ground that one of the properties subject of the donation, Lot 2-J of Psd-146879, was given the technical description of Lot J of Psd-146880. This was attributed either to the notary public who prepared the deed of donation or to his secretary who typed it.¹²

The case, docketed as Civil Case No. 1185, was assigned to the then Court of First Instance of Palawan, Branch I. On Angel's motion, it was dismissed in an Order dated January 31, 1986 for lack of cause of action. In particular, the trial court found that, while the complaint was supposedly denominated as for the annulment of the donation, the allegations of the complaint were really for reformation of instrument because it essentially sought the correction or amendment of the deed of donation to conform to the alleged true intention of the donors to donate Lot 2-J of Psd-146879 and not Lot J of Psd-146880. However, the complaint failed to allege that the donation was conditional and the deed of donation attached as an annex of the complaint showed that no condition was imposed for the donation.¹³ As such, it was a simple donation that is not subject of reformation under Article 1366 of the Civil Code which provides:

Art. 1366. **There shall be no reformation in the following cases:**

- (1) **Simple donations *inter vivos* wherein no condition is imposed;**
- (2) Wills;
- (3) When the real agreement is void. (Emphasis supplied.)

¹⁰ Id. at 392-394.

¹¹ Id. at 395.

¹² Id. at 382.

¹³ Id. at 384-387.

According to the trial court, even if the action were to be considered as for annulment of the deed of donation, it would still be dismissed for lack of cause of action. There was no allegation that the consent of the donors was vitiated when they made the donation, nor was there an allegation of any ground that could have vitiated the donors' consent, such as mistake, violence, intimidation, undue influence, or fraud.¹⁴

Finally, the trial court found that Cornelio alleged in the complaint that his wife, Nieves, died prior to the filing of the complaint. The trial court ruled that Cornelio lacked personality to sue in behalf of Nieves because her right as a co-donor is purely personal to her and her right to reform or revoke the donation is exclusively reserved for her such that no other person can exercise such right for her. Also, the subsequent death of Cornelio during the pendency of the case extinguished his personal right to pursue the case, an intransmissible right, and the petitioners herein as his heirs could not have validly substituted him. The trial court concluded that the lack of personality on the part of the heirs of Cornelio constituted lack of cause of action.¹⁵ Thus, the trial court ordered:

ACCORDINGLY, in view of the foregoing findings, the amended complaint is hereby ordered dismissed for lack of cause of action. No costs. Motion to Dismiss is hereby GRANTED.¹⁶

The motion for reconsideration of Cornelio's heirs was denied in an Order dated March 19, 1986. As no appeal was made, the dismissal of the case attained finality.¹⁷

III. Spl. Civil Action No. 1950

Angel subsequently applied for the issuance of a certificate of title in his name over Lot J of Psd-146880 but the Registrar of Deeds of Puerto Princesa City denied it. Thus, Angel filed a petition for *mandamus* to compel the Registrar of Deeds to issue a certificate of title in his favor. The case was docketed as Spl. Civil Action No. 1950 and assigned to the Regional Trial Court of Palawan, Branch 48.¹⁸

After hearing the parties, the trial court issued an Order¹⁹ dated February 27, 1987 directing the Registrar of Deeds of Puerto Princesa City to issue a certificate of title in Angel's name over Lot J of Psd-146880. In arriving at its Order, the trial court took note of the finality of the Order dated January 31, 1986 in Civil Case No. 1185. The trial court also ruled that as the technical description of one of the parcels of land subject of the

¹⁴ Id. at 387-388.

¹⁵ Id. at 389-390.

¹⁶ Id. at 390.

¹⁷ *Rollo*, p. 19.

¹⁸ Id.

¹⁹ Id. at 40-53.

donation corresponded to Lot J of Psd-146880, what was donated was Lot J of Psd-146880 and the mention of “Lot 2-J of Psd-146880” was merely a typographical error.²⁰ The trial court explained:

Considering that the determinative technical description, describing and denoting the boundaries thereof, are the same [as] in the Deed of Donation Inter-vivos and in Civil Case No. 1185 for annulment are the same in every aspect and detail, it is crystal clear that one of the subject[s] of donation is Lot No. “J” (LRC) PSD-146880 and not Lot “2-J” (LRC) PSD-146880. It is clear beyond doubt and cavil that a clerical error has been inadvertently committed as to the Lot Number concerned although there was already a meeting of minds o[n] the two (2) lots donated. x x x.

x x x x

For brevity[’s] sake, the technical description of the land donated (2nd lot) erroneously identified as Lot 2-J (LRC) PSD-146880 doesn’t exist, a mere clerical error but what exist[s] is Lot No. J (LRC) PSD-146880, the technical description of which are the same which leaves no shadow of doubt that what is donated is Lot No. J (LRC) PSD-146880. What is controlling is the technical description x x x.²¹

As the deed of donation in favor of Angel clearly refers to Lot J of Psd-146880 in view of the technical description of the land and considering further that a certificate of title in the name of Angel over the other parcel of land subject of the deed of donation was already issued, the Registrar of Deeds should have performed its ministerial duty under the law to issue a certificate of title in the name of Angel over Lot J of Psd-146880. In particular, the trial court ordered:

WHEREFORE, illuminated by the light of all the foregoing facts, laws and arguments, x x x, and since the other and/or 1st mentioned lot donated, Lot No. 1-J (LRC) PSD-146879, has long already been titled in the name of herein petitioner as TCT No. 4213, issued on June 18, 1976, there is no need of consolidation. Instead the Register of Deeds of the City of Puerto Princesa is hereby [“mandamused[”], commanded and/or ordered to register and issue the title to now corrected, denominated and identified as Lot No. “J” (LRC) PSD-146880 in the name of herein petitioner, Angel Miguel, married to Ofelia Palanca, both residents of the City of Puerto Princesa, Philippines.²²

The Registrar of Deeds of Puerto Princesa City appealed the Order dated February 27, 1987 but subsequently withdrew the appeal upon receipt of the resolution of the Land Registration Authority (LRA) on the *Consulta* of the said Registrar of Deeds in which the LRA allowed the registration of the disputed property in the name of Angel provided that the Order dated February 27, 1987 is already final and executory. With the withdrawal of the appeal, the Order dated February 27, 1987 became final and executory.

²⁰ Id. at 45-46.

²¹ Id. at 46-47.

²² Id. at 53.

Subsequently, on December 29, 1987, Transfer Certificate of Title (TCT) No. 11349 was issued in the name of Angel over Lot J of Psd-146880.²³

Angel later on caused the subdivision of Lot J of Psd-146880 into four smaller lots which he correspondingly donated to each of his four sons, Peter Albert, Omar Angelo, Leo Antonio, and Oscar Joseph. Following the donation, TCT Nos. 20094 in the name of Peter Albert, 20095 in the name of Omar Angelo, 20096 in the name of Leo Antonio, and 20097 in the name of Oscar Joseph were issued.²⁴

IV. Civil Case No. 2735

On July 7, 1994, petitioners filed a complaint for declaration of nullity of Angel's TCT No. 11349 and its derivative titles, TCT Nos. 20094, 20095, 20096, and 20097, as well as of the respective deeds of donation Angel executed in favor of his sons. Petitioners claimed that, as the true intention of their parents Cornelio and Nieves as donors was to donate Lot 2-J of Psd. 146879 and not Lot J of Psd. 146880, the deed of donation was rendered void by the typographical error relating to the description of the property. An implied trust was therefore created where Angel held Lot J of Psd. 146880 in trust for the petitioners as heirs of the donors. As such trustee, Angel had no right either to have the property registered in his name or to transfer it to his sons through donation. Thus, petitioners argued, the sons of Angel as his heirs should return the ownership and possession of their respective portion of Lot J of Psd. 146880 and reconvey the same to the petitioners.²⁵

For their part, the respondents moved for the dismissal of the complaint. They asserted that the petitioners' cause of action is already barred by prior judgment in Civil Case No. 1185 as the issue of Angel's ownership and possession of Lot J of Psd. 146880 had already been settled in Spl. Proc. No. 444, Civil Case No. 1185 and Spl. Civil Action No. 1950, all of which have been decided with finality.²⁶

The respondents also contended that, in alleging the clerical error of the typist of the notary public who prepared the deed of donation executed by Cornelio and Nieves in favor of Angel, the petitioners effectively seek the correction or amendment of the said deed of donation pursuant to Article 1364 of the Civil Code. However, the petitioners may not avail of the remedy of reformation because the donation made by Cornelio and Nieves to Angel was a simple donation which, under Article 1366(1) of the Civil Code, may not be subject of reformation.²⁷

²³ Id. at 19-20.

²⁴ Id. at 20.

²⁵ Records, pp. 1-12.

²⁶ Id. at 321-379.

²⁷ Id. at 372-375.

The respondents further claimed that the petitioners have no legal capacity to sue. The petitioners effectively seek the reformation or annulment of the deed of donation executed by Cornelio and Nieves in favor of Angel. However, the right of action for the reformation or annulment of the said deed of donation properly and exclusively pertained to Cornelio and Nieves as donors. Such right is personal and intransmissible and therefore cannot be claimed by the petitioners.²⁸

In an Order²⁹ dated March 21, 1995, the trial court dismissed the complaint. The Order's dispositive portion reads:

In the light of the foregoing, the instant action is hereby ordered dismissed for having been barred by a prior judgment. As thus dismissed, the notice of lis pendens on Transfer Certificate of Title Nos. 20094, 20095, 20096 and 20097 is accordingly hereby ordered cancelled therefrom.³⁰

The petitioners appealed the Order of the trial court to the Court of Appeals. In a Decision dated January 31, 2003, however, the appellate court ruled that Spl. Proc. No. 444, Civil Case No. 1185 and Spl. Civil Action No. 1950 all dealt with the question of ownership over Lot J of Psd. 146880 and they have all been adjudged with finality. The appellate court concluded that the judgments in the said cases effectively foreclosed any further inquiry on the matter in accordance with the doctrine of *res judicata*, particularly the conclusiveness of judgment. The petitioners were the successors-in-interest of Cornelio, the complainant against Angel in Civil Case No. 1185, and the respondents are being sued as successors-in-interest of Angel in Civil Case No. 2735. The matter directly controverted in Civil Case No. 1185 was Lot J of Psd. 146880 which is also the bone of contention in Civil Case No. 2735. Thus, the appellate court ruled that the judgment in Civil Case No. 1185 is conclusive in Civil Case No. 2735. The dispositive portion of the Decision dated January 31, 2003 reads:

WHEREFORE, premises considered, the appeal is hereby dismissed and the appealed decision, **AFFIRMED**.³¹

The petitioners are now before this Court, assailing the Decision dated January 31, 2003 of the Court of Appeals. They argue that the Court of Appeals misapplied the doctrine of *res judicata* in the concept of conclusiveness of judgment.³²

According to the petitioners, conclusiveness of judgment precludes only the re-litigation of a particular fact or issue in another action between the same parties on a different cause of action. They posit that there is no

²⁸ Id. at 375-376.

²⁹ Id. at 572-577.

³⁰ Id. at 577.

³¹ *Rollo*, p. 23.

³² Id. at 8-14, Petition for Review on *Certiorari*.

issue resolved on Civil Case No. 1185 that is being litigated anew in Civil Case No. 2735. The petitioners maintain that the complaint in Civil Case No. 1185 was dismissed for failure to state a cause of action and not because the plaintiffs, Cornelio and the petitioners, had no cause of action. In other words, the petitioners imply that they had a cause of action in Civil Case No. 1185 but they only failed to sufficiently allege such cause of action.³³

The petitioners also point out that there is neither identity of subject matter nor identity of cause of action between Civil Case No. 1185 and Civil Case No. 2735. They say that the subject matter of Civil Case No. 1185 was the deed of donation executed by Cornelio and Nieves in favor of Angel while the subject matter of Civil Case No. 2735 is the recovery of Lot J of Psd. 146880. The cause of action in Civil Case No. 1185 was the reformation of the deed of donation executed by Cornelio and Nieves in favor of Angel while the cause of action in Civil Case No. 2735 is the reconveyance of Lot J of Psd. 146880 based on Angel's violation of the implied trust created in favor of the petitioners.³⁴

For their part, the respondents insist on the correctness of both the Order dated March 21, 1995 of the trial court in Civil Case No. 2735 and the Decision dated January 31, 2003 of the appellate court affirming the said Order.³⁵

The Court's Ruling

The petition fails. *Res judicata* in the concept of conclusiveness of judgment precludes the complaint in Civil Case No. 2735.

A better understanding of the fundamentals of *res judicata* and conclusiveness of judgment will explain and clarify the Court's ruling.

The following are the elements of *res judicata*:

- (1) the judgment sought to bar the new action must be final;
- (2) the decision must have been rendered by a court having jurisdiction over the subject matter and the parties;
- (3) the disposition of the case must be a judgment on the merits; and
- (4) there must be as between the first and second action, identity of parties, subject matter, and causes of action.³⁶

Under Rule 39 of the Rules of Court, *res judicata* embraces two concepts: (1) bar by prior judgment as enunciated in Section 47(b) of the

³³ Id. at 9.

³⁴ Id. at 10-13.

³⁵ Id. at 30-77, 46-75, Opposition to Petition for Review on *Certiorari*.

³⁶ *Social Security Commission v. Rizal Poultry and Livestock Association, Inc.*, G.R. No. 167050, June 1, 2011, 650 SCRA 50, 57-58.

said Rule and (2) conclusiveness of judgment as explained in Section 47(c) of the same Rule. Should identity of parties, subject matter, and causes of action be shown in the two cases, then *res judicata* in its aspect as a “bar by prior judgment” would apply. If as between the two cases, only identity of parties can be shown, but not identical causes of action, then *res judicata* as “conclusiveness of judgment” applies.³⁷

*Nabus v. Court of Appeals*³⁸ clarifies the concept of conclusiveness of judgment further:

The doctrine states that a fact or question which was in issue in a former suit, and was there judicially passed on and determined by a court of competent jurisdiction, is conclusively settled by the judgment therein, as far as concerns the parties to that action and persons in privity with them, and cannot be again litigated in any future action between such parties or their privies, in the same court or any other court of concurrent jurisdiction on either the same or a different cause of action, while the judgment remains unreversed or unvacated by proper authority. **The only identities thus required for the operation of the judgment as an estoppel x x x are identity of parties and identity of issues.**

It has been held that in order that a judgment in one action can be conclusive as to a particular matter in another action between the same parties or their privies, it is essential that the issues be identical. If a particular point or question is in issue in the second action, and the judgment will depend on the determination of that particular point or question, a former judgment between the same parties will be final and conclusive in the second if that same point or question was in issue and adjudicated in the first suit x x x. (Emphasis supplied.)

Identity of parties is a requisite in the application of conclusiveness of judgment. So long as the parties or their privies are identical, any right, fact, or matter in issue directly adjudicated or necessarily involved in the determination of an action before a competent court in which judgment is rendered on the merits is conclusively settled by the judgment therein and cannot again be litigated whether or not the claim, demand, purpose, or subject matter of the two actions is the same.³⁹ In this case, the Court of Appeals held the following as regards the issue of identity of parties:

As further held, conclusiveness of judgment calls for identity of parties, not causes of action, and “there is identity of parties not only when the parties are the same but also those on privity with them, as between their successors in interest by title subsequent to the commencement of the action, litigation for the same thing and under the same title and in the same capacity, or when there is substantial identity of parties.” In the present case, appellants were the successors in interest of petitioner Cornelio in Civil Case No. 1185 against respondent Angel, whereas in

³⁷ Id. at 56, 58.

³⁸ 271 Phil. 768, 784 (1991).

³⁹ *P.L. Uy Realty Corporation v. ALS Management and Development Corporation*, G.R. No. 166462, October 24, 2012, 684 SCRA 453, 466 citing *Social Security Commission v. Rizal Poultry and Livestock Association, Inc.*, supra note 36 at 57.

Civil Case No. 2735, appellees were the successors in interest of Angel. Undeniably, there is substantial identity of parties in the said two cases. And since the matter directly controverted and determined in Civil Case No. 1185 is the lot which is also the bone of contention in Civil Case No. 2735, the judgment rendered in the first case is conclusive in the second case.⁴⁰

The petitioners do not question the ruling of the Court of Appeals that there is identity of parties in Civil Case No. 1185 and Civil Case No. 2735. What the petitioners principally contend is that the judgment in Civil Case No. 1185 cannot bar Civil Case No. 2735 as the two cases involve different causes of action and different subject matters.

However, for *res judicata* in the concept of conclusiveness of judgment to apply, identity of cause of action is not required but merely identity of issue.⁴¹

The claim of the petitioners that Civil Case No. 1185 was dismissed not because they have no cause of action but because they failed to state such a cause of action is wrong. The dispositive portion of the Order dated January 31, 1986 is clear: the amended complaint was “ordered dismissed **for lack of cause of action.**”⁴²

The Order dated January 31, 1986 in Civil Case No. 1185 ruled that Cornelio and the petitioners had no cause of action in connection with the reformation of the deed of donation executed by the spouses Cornelio and Nieves in favor of Angel because the said deed of donation is a simple donation and therefore not a proper subject of an action for reformation. As there can be no reformation of the deed of donation pursuant to Article 1366 of the Civil Code, the necessary implication and consequence of the Order dated January 31, 1986 in Civil Case No. 1185 is that the deed of donation stands and the identity of the property subject of the donation is that parcel of land which corresponds to the technical description in the deed of donation. In other words, the property donated under the deed of donation is that which matches the property whose metes and bounds is particularly described in the deed of donation. This is because the technical description of the land is proof of its identity.⁴³ Such technical description embodies the identity of the land.⁴⁴ In this case, the technical description in the deed of donation pertains to Lot J of Psd. 146880. That is why the trial court in Spl. Civil Action No. 1950 ordered the issuance in Angel’s name of TCT No. 11349 over Lot J of Psd. 146880. Thus, in Civil Case No. 1185 and Spl. Civil Action No. 1950, Lot J of Psd. 146880 is the property donated to

⁴⁰ *Rollo*, pp. 22-23.

⁴¹ *P.L. Uy Realty Corporation v. ALS Management and Development Corporation*, supra note 39 at 466.

⁴² Records, p. 390.

⁴³ See *Republic v. Espinosa*, G.R. No. 171514, July 18, 2012, 677 SCRA 92, 110.

⁴⁴ See *VSD Realty & Development Corporation v. Uniwide Sales, Inc.*, G.R. No. 170677, July 31, 2013, 702 SCRA 597, 606.

Angel and registered in his name as TCT No. 11349 and, subsequently, to Angel's four children as TCT Nos. 20094, 20095, 20096, and 20097.

For purposes of conclusiveness of judgment, identity of issues means that the right, fact, or matter in issue has previously been either "directly adjudicated or necessarily involved in the determination of an action"⁴⁵ by a competent court. In this case, the issue of the transfer pursuant to the deed of donation to Angel of Lot J of Psd. 146880 and, corollarily, his right over the said property has been necessarily involved in Civil Case No. 1185.

The petitioners engage in hair-splitting in arguing that none of the issues involved in Civil Case No. 1185 is also involved in Civil Case No. 2735. The primary issue in Civil Case No. 1185 is whether the true intention of the spouses Cornelio and Nieves as donors was to donate to Angel the property described in the deed of donation, that is, Lot J of Psd. 146880. The issue in Civil Case No. 1185 is therefore the identity of one of the properties donated by the spouses Cornelio and Nieves for which Cornelio and the petitioners sought reformation of the deed of donation. As stated above, the order of dismissal of the complaint in Civil Case No. 1185 necessarily implied that, as the deed of donation is not subject to reformation, the identity of the property subject of the donation is the property corresponding to the technical description, Lot J of Psd. 146880. On the other hand, the subject matter of Civil Case No. 2735 is the recovery of Lot J of Psd. 146880 on the petitioners' claim that a clerical error prevented the deed of donation from conforming to the true intention of the spouses Cornelio and Nieves as to the identity of the property they intended to donate to Angel. This boils down to the issue of the true identity of the property, which has been, as earlier stated, necessarily adjudicated in Civil Case No. 1185. Thus, the judgment in Civil Case No. 1185 on the issue of the identity of the land donated by Cornelio and Nieves to Angel is conclusive in Civil Case No. 2735, there being a similarity of parties in the said cases.

The petitioners also question the validity of the deed of donation executed by the spouses Cornelio and Nieves in favor of Angel. Indeed, that is the foundation of their claim. However, that issue had been settled with finality in Civil Case No. 1185. The petitioners who were parties against Angel in Civil Case No. 1185 cannot resurrect that issue against the privies or successors-in-interest of Angel in Civil Case No. 2735 without violating the principle of *res judicata*. In other words, Civil Case No. 2735 is barred by the conclusiveness of the judgment in Civil Case No. 1185.


As the issues of whether Lot J of Psd. 146880 is one of the properties donated by the spouses Cornelio and Nieves to Angel and whether such donation was valid have been necessarily settled in Civil Case No. 1185,

⁴⁵ *P.L. Uy Realty Corporation v. ALS Management and Development Corporation*, supra note 39 at 466.


they can no longer be relitigated again in Civil Case No. 2735. The Order dated January 31, 1986 effectively held that the said property had been donated to Angel. It follows that he had properly sought its registration in his name under TCT No. 11349 and he had validly partitioned and donated it to his four children who acquired TCT Nos. 20094, 20095, 20096, and 20097 in their respective names.

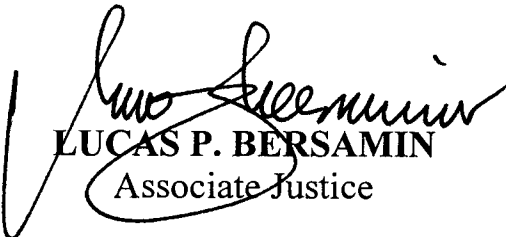
WHEREFORE, the petition is hereby **DENIED**.


SO ORDERED.



TERESITA J. LEONARDO-DE CASTRO
Associate Justice

WE CONCUR:


MARIA LOURDES P. A. SERENO
Chief Justice
Chairperson

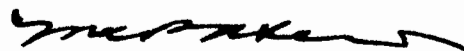

LUCAS P. BERSAMIN
Associate Justice


MARTIN S. VILLARAMA, JR.
Associate Justice


BIENVENIDO L. REYES
Associate Justice

CERTIFICATION

Pursuant to Section 13, Article VIII of the Constitution, I certify 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's Division.



MARIA LOURDES P. A. SERENO
Chief Justice