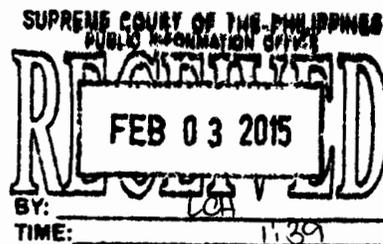




Republic of the Philippines
Supreme Court
Manila
FIRST DIVISION



NOTICE

Sirs/Mesdames:

Please take notice that the Court, First Division, issued a Resolution dated November 10, 2014 which reads as follows:

“G.R. No. 209077 (Teodora Serrano v. Philippine National Red Cross, American Wire and Cable Co., Inc., et al.). - After a judicious review of the records, the Court resolves to **DENY** the instant petition and **AFFIRM** the April 12, 2013 Decision¹ and August 30, 2013 Resolution² of the Court of Appeals (CA) in CA-G.R. CV No. 97500 for failure of Teodora Serrano (petitioner) to show that the CA committed any reversible error in declaring that respondent Philippine National Red Cross (PNRC), by virtue of Transfer Certificate of Title (TCT) No. S-36661 (issued on October 28, 1976), had the superior right to the property in dispute over her, by virtue of her TCT No. 79700 (issued on March 14, 1994).

As correctly held by the CA, petitioner failed to show that she had a superior right over the subject property considering that it was the PNRC’s predecessor-in-interest, respondent American Wireless Cable Co., Inc., (AWC), which had its acquisition thereof first recorded in good faith. Verily, when the thing sold twice is an immovable, the one who acquires it and first records it in the Registry of Property, both made in good faith, shall be deemed the owner,³ as AWC (and later PNRC) in this case.

- over – two (2) pages

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¹ *Rollo*, pp. 43-74. Penned by Associate Justice Stephen C. Cruz with Associate Justices Magdangal M. de Leon and Myra V. Garcia-Fernandez, concurring.

² *Id.* at 90-92.

³ See *Rosaroso v. Soria*, G.R. No. 194846, June 19, 2013, 699 SCRA 232, 246-247.

As a matter of fact and as also properly observed by the CA, petitioner could not even be considered to have acquired the subject property in good faith as she admittedly knew of AWC's possession thereof and yet chose to disregard the same and still proceeded with its purchase. The rule is settled that a buyer of real property, which is in the possession of persons other than the seller, must be wary and should investigate the rights of those in possession. Otherwise, without such inquiry, the buyer can hardly be regarded as a buyer in good faith, as petitioner in this case.⁴

SO ORDERED.” SERENO, C.J., on official travel; **DEL CASTILLO, J.**, acting member per S.O. No. 1862 dated November 4, 2014. **BERSAMIN, J.**, on official travel; **VELASCO, JR., J.**, acting member per S.O. No. 1870 dated November 4, 2014.

Very truly yours,


EDGAR O. ARICHETA
Division Clerk of Court
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The Hon. Presiding Judge
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1700 Parañaque City
(Civil Case No. 02-0026)

Judgment Division (x)
Supreme Court

The Register of Deeds
1700 Parañaque City

Court of Appeals (x)
Manila
(CA-G.R. CV No. 97500)

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SR

⁴ *Embrado v. CA*, G.R. No. 51457, June 27, 1994, 233 SCRA 335, 346; citations omitted.