



Republic of the Philippines
Supreme Court
Manila

FIRST DIVISION

NOTICE

Sirs/Mesdames:

*Please take notice that the Court, First Division, issued a Resolution dated **March 25, 2015** which reads as follows:*

“G.R. No. 216510 (Ma. Luisa Tanghal v. Ong Yee Seng, Spouses Mariano De Joya and Juanita De Joya, Raymond Wong, Rey Kenneth Chan, et al.). - The petitioner’s manifestation, submitting Annex “A” as the alleged proof of service of the copy of the petition to the Court of Appeals is **NOTED.**

After a judicious perusal of the records, the Court resolves to **DENY** the instant petition and **AFFIRM** the August 22, 2014 Decision¹ and January 21, 2015 Resolution² of the Court of Appeals (CA) in CA-G.R. CV No. 100688 for failure of Ma. Luisa Tanghal (petitioner) to show that the CA committed any reversible error in finding that she is a mortgagee in bad faith who is bound by the judgment against her predecessor.

Records show that circumstances existed which should have prompted petitioner to discover that a defect in her predecessor’s title existed but the former failed to ascertain the same. Hence, the CA found petitioner to be a mortgagee/purchaser in bad faith who stands exactly in the shoes of her transferor and is bound by any judgment rendered for or against the latter.³ Consequently, petitioner’s title, derived from her predecessor’s defective title, is subject to the incidents and results arising from the pending litigation of the latter which cannot now be questioned.⁴

- over - two (2) pages

19

¹ *Rollo*, pp. 36-50. Penned by Associate Justice Andres B. Reyes, Jr. with Associate Justices Apolinario D. Bruselas, Jr. and Samuel H. Gaerlan, concurring.

² *Id.* at 65-66.

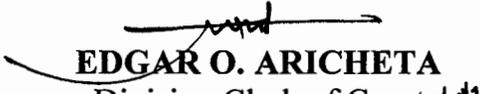
³ See *The Malayan Bank v. Lagrama*, 409 Phil. 493, 504 (2001); citation omitted.

⁴ *Id.*; citations omitted.

Moreover, it is settled that the question of whether a person acted in good faith or bad faith in dealing with real property is a question of fact⁵ which, as a rule, the Court is proscribed to review unless they fall within the recognized exceptions,⁶ none of which are obtaining in this case.

SO ORDERED.”

Very truly yours,


EDGAR O. ARICHETA
Division Clerk of Court

19

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⁵ See *Heirs of Nicolas S. Cabigas v. Limbaco*, G.R. No. 175291, July 27, 2011, 654 SCRA 643, 652.

⁶ See *PNB v. Heirs of Estanislao and Deogracias Militar*, 526 Phil. 788, 800 (2006); citations omitted.