

Republic of the Philippines
REGIONAL TRIAL COURT
Third Judicial Region
BRANCH 5
Dinalupihan, Bataan

In the Matter of Petition for Issuance of Owner's
Copies of TCT No. CLOA-6072 and
TCT No. CLOA-6071

Susan Reyes,
Petitioner,

-versus-

LRC CASE NO. 373-20

Atty. Amante Capuchino, as Chief
of Registry of Deeds of Bataan,
Respondent.

x-----x

ORDER

Raffled to this branch on December 14, 2020 is the instant Petition filed by the petitioner through counsel.

The Petition states in sum the following:

Petitioner is of legal age, single and resident of Sta. Isabel, Dinalupihan, Bataan, while respondent is acting as Chief of the Registry of Deeds of Bataan holding office in Capitol Compound, Balanga City. Petitioner is the registered owner of two parcels of land located in Sta. Isabel, Municipality of Dinalupihan, Province of Bataan. Copies of the electronic image of the Transfer Certificate of Title No. CLOA-6072 is attached as Annex "A" and Transfer Certificate of Title No. CLOA-6071 is attached as Annex "B". Petitioner is keeping the owner's copies of the two (2) titles inside her house, however, sometime in 2014, she discovered that the titles are already missing. She made a thorough search inside her house but she could no longer find them. Photo copy of the Affidavit of Loss is attached as Annex "C". Petitioner was not able to cause immediately for the replacement of the lost title due to time constraint. She was busy then in the practice of her profession as physician. The subject parcels of land have not been mortgaged to any person or lending institution. There is also no pending litigation involving the lands. In support of this petition, petitioner attached the Tax Declaration marked as Annex "D" and "D-1", proof of payment of realty tax as Annexes "E" and "E-1", and her Judicial Affidavit as Annex "F".

The petitioner prays that after notice and hearing, an order be issued directing the Register of Deeds for the Province of Bataan to issue another owner's duplicate copies of Transfer Certificate of Title No. CLOA-6071 and Transfer Certificate of Title No. CLOA-6072 in lieu of the lost ones.

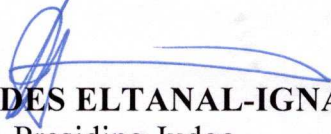
Finding the petition to be sufficient in form and substance, let the hearing of this petition (presentation of jurisdictional requirements) be set on **February 8, 2021 at 2:00 o'clock in the afternoon** before this court at which date, time and place all persons interested in this petition are cited to appear and show cause, if any, why the prayer of this petition should not be granted.

The Process Server of this court is directed to cause the posting of this Order at three (3) conspicuous places, particularly at the following places: (1) Hall of Justice, Dinalupihan, Bataan; (2) Municipal Hall of Dinalupihan, Bataan and (3) Brgy. Sta. Isabel, Dinalupihan, Bataan, where the properties are located at the expense of the petitioner and to submit to this court the certificate of posting on or before the date of hearing.

The Register of Deeds of the Province of Bataan or any of his authorized representatives is hereby directed to produce the original copies of the titles subject matter of this petition on said date and time of hearing and to issue a written certificate as to whether or not said titles have any adverse claim, *lis pendens*, lien or encumbrance of whatever nature.

SO ORDERED.

Dinalupihan, Bataan. December 17, 2020.


MA. LOURDES ELTANAL-IGNACIO
Presiding Judge

Copy furnished: Susan Reyes; Atty. Flaviano Aguanta; RD Balanga City, Bataan