

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

IN RE: PETITION FOR THE ISSUANCE
OF NEW OWNER'S DUPLICATE COPY
OF TRANSFER CERTIFICATE OF TITLE
NO. T-187562 ISSUED BY THE
REGISTRY OF DEEDS BATAAN,

LRC CASE NO. 332-18

HENRY LEE TSAI,
Petitioner,

-versus-

REGISTER OF DEEDS OF BATAAN
and MJM REALTY CORPORATION,
Respondents.

x-----x

ORDER

This is a verified Amended Petition for the Issuance of New Owner's Duplicate Copy of TCT No. T-187562 filed by the petitioner through counsel praying that after notice and hearing, an order be issued directing the Register of Deeds of Bataan to issue a new owner's duplicate copy of Transfer Certificate of Title (TCT) No. T-187562 in favor of the petitioner and that the same be regarded as the original duplicate in accordance with section 109 of Presidential Decree No. 1529.

The Petition states in sum the following:

Petitioner is a Filipino, of legal age and with residence and postal address at Unit 33-H South Tower One Shangri-La Place, St. Francis St., corner Shaw Boulevard, Mandaluyong City. He may be served with notices, orders and other processes of the court at the address of his counsel of record. On the other hand, public respondent Register of Deeds of Bataan has official address at LRA Building, Banzon St., Provincial Capitol Compound, City of Balanga, Bataan and private respondent MJM Realty Corporation is a corporation duly organized and existing under the laws of the Republic of the Philippines, with office address at 5th Floor Tytana Plaza, Plaza Lorenzo Ruiz, Binondo, Manila.

Petitioner purchased from MJM Realty Inc. a parcel of land located at Dinalupihan, Bataan and covered by TCT No. T-187562 and registered in the name of MJM realty, Inc. A certified true copy of TCT No. T-187562 is attached as Annex "A" and a copy of the Deed of Sale dated 03 June 2013 is attached as Annex "B".

Petitioner executed an Affidavit/Notice of Adverse Claim over TCT No. T-187562 and the same is annotated as Entry No. 2013003088 on May 16, 2013 on said title.

Years ago, petitioner kept the original owner's duplicate of TCT No. T-187562 inside a cabinet at his house in Shangri-la, but, recently, when he looked for it, he cannot find it anymore in the cabinet. Despite diligent efforts, said title could not be found and thus, should be deemed to have been lost.

On August 3, 2018, petitioner executed an Affidavit of Loss to attest to the loss of the owner's duplicate copy of TCT No. T-187562 and on August 14, 2018, said affidavit was duly annotated/registered on the subject land title. A copy of the Affidavit of Loss dated August 3, 2018 is attached as Annex "C".

The subject land has not been sold, conveyed, or transferred to any other person or entity.

Petitioner has no knowledge of any duplicate of the title which may have been issued to any other person or entity.

Pursuant to Section 109 of Presidential Decree 1529, otherwise known as the Property Registration Decree, petitioner requests that the court issue an order directing the Register of Deeds of Bataan to issue a new owner's duplicate copy of Transfer Certificate of Title No. T-187562 in favor of petitioner.

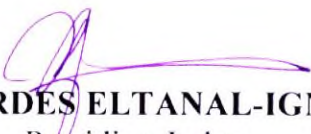
Finding the Amended Petition to be sufficient in form and substance, let the hearing of this petition (presentation of jurisdictional requirements) be set on **March 18, 2019 at 2:00 o'clock in the afternoon** before this court at which date, time and place all persons interested in this petition are 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. San Pablo, Dinalupihan, Bataan, where the property is located at the expense of the petitioners 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 copy of the title subject matter of this petition on said date and time of hearing and to issue a written certificate as to whether or not said title has any adverse claim, *lis pendens*, lien or encumbrance of whatever nature.

SO ORDERED.

Dinalupihan, Bataan. January 10, 2019.


MA. LOURDES ELTANAL-IGNACIO
 Presiding Judge

Copy furnished:

1. Henry Lee Tsai
2. Policarpio and Acorda Law Office
3. Register of Deeds, Balanga City, Bataan
4. MJM Realty Corporation