

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

IN RE: PETITION FOR ISSUANCE OF
OWNER'S DUPLICATE OF CERTIFICATE
OF TITLE

Laureana Ronquillo Carreon Miranda,
Petitioner.

-versus-

LRC CASE NO. 325-18

Registry of Deeds for the Province
of Bataan,

Respondent.

x-----x

ORDER

Raffled to this branch on August 30, 2018 is the instant petition In Re: Petition for Issuance of Owner's New Duplicate Certificate of Title filed by the petitioner through counsel.

The Petition states in sum the following:

Petitioner is of legal age, widow, and a resident of Luakan, Dinalupihan, Bataan while respondent Registry of Deeds is a government agency in charge with, among others, the keeping of land titles, holding its office at Balanga City headed by its Chief, Atty. Amante Capuchino. The subject matter of this case are two parcels of land. The first one contains an area of Twenty-Five (25) square meters, more or less covered by Transfer Certificate of Title (TCT) No. CLOA-157 and is located at Luakan, Dinalupihan, Bataan. The second one contains an area of One Hundred Ninety-nine (199) square meters, more or less covered by TCT No. CLOA-333 and is also located at Laukan, Dinalupihan, Bataan, electronic copies of the titles are attached as Annexes "A" and "B". Registered by the DAR in the subject titles is the maiden name of the petitioner, instead of her married name. This is probably because at the time they were issued, her husband was already dead. The owner's duplicate of said titles were kept by the petitioner in her house in Luakan, Dinalupihan. In 2013, petitioner moved to the house of her youngest daughter Melani M. Arino in Palihan, Hermosa, Bataan to help her take care of her children. She would visit her house in Laukan from time to time. For the last five years, she was not able to check the said titles. She went back to her house in Luakan recently and checked for the titles subject of this case but despite diligent efforts, the subject titles could no longer be located. An Affidavit of Loss was executed by the petitioner on July 4, 2018 and the same was submitted to the respondent ROD who annotated it in their copy as Entry No. 2018005723 of both titles. Copy of the affidavit is attached as Annex "C" and the annotation on the titles can be found on the last

page of Annexes "A" and "B". The subject properties were declared for tax purposes under the name of the petitioner as Tax Declaration No. 07023 for TCT No. CLOA-157 and Tax Declaration No. 07022 for TCT CLOA No. 333. Copies of the tax declaration are attached as Annexes "D" and "E". Taxes due on both parcels of land have been paid proven by Official Receipt No. 0557000, attached as Annex "F". The said parcels of land were not yet transferred or conveyed to another person and petitioner remains to be the sole and exclusive owner thereof.

The petition prays that after due proceedings, an order be issued directing the Registry of Deeds for the Province of Bataan to issue new owner's duplicate titles for Transfer Certificate of Title No. CLOA-157 and Transfer Certificate of Title No. CLOA-33, to be regarded as the original certificates of above titles for all intents and purposes.


Finding the petition to be sufficient in form and substance, let the hearing of this petition (presentation of jurisdictional requirements) be set on **November 5, 2018 at 8:30 in the morning** 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. Luakan, Dinalupihan, Bataan, where the properties are both 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. September 4, 2018.


MA. LOURDES ELTANAL-IGNACIO
Presiding Judge

Copy furnished:

1. Laureana Ronquillo Carreon Miranda
2. Atty. Juvy Mell S. Malit
3. The Register of Deeds, Balanga City, Bataan