# THE COURT OF AGRARIAN RELATIONS

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## I. INTRODUCTION

*Tenancy: A National Problem* — A realistic appraisal of tenancy as an aspect of our tenure difficulties will readily disclose its significance as a national problem[1] For one of the main defects of our agrarian structure is the high proportion of share tenancy in our country.[2] Of a total land area of 29,741,290 hectares, only 5,726,583 hectares have been classified as farm land, and of these, only 3,711,902 hectares are under cultivation, as 2,277,000 farms devoted to rice, sugar, corn, coconut, tobacco, abaca, root crops, vegetables, etc. As a national average 40.3% of all farms are tenant-operated, the rest are divided among owner-operators, part-owners and farm managers. Of the 1,104,000 tenants or 13% of the total force of 8,489,000, 57.7% are share tenants, 16.8% are part-owner tenants, 1.8% are cash-tenants and 23.7% are unclassiled. On the national average, therefore, of only five persons per family, and considering the total population to be 22,000,000, no less than one fourth (1/4) of the population — or over 5,000,000 — depends on tenantry for their livelihood, which, as a rule, is submarginal.[3]

*The Problem: Its Aspects* — But the adverse impact of tenancy on the social and economic development and political stability of the country transcends these statistical discordancies. There is, first, the unsavory fact that tenancy tends to increase through the years. From 18% in 1903, thru 35% in 1933, and 37% in 1948, it is now estimated to be 48% of the total farm population. To an economy mainly agricultural in orientation and a demography mainly rural in distribution, this increase can be very detrimental to agricultural production and chiefly contributory to rural poverty and discontent.[4]

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[1] *See Land Reform: The Agricultural Tenancy Act of 1954*, 20 LAWYERS JOURNAL 521, et. seq. (1955).

[2] PROGRESS IN LAND REFORM (Analysis of Replies of United Nation's Questionnaire) published by the Department of Economics Affairs, United Nations, New York, p. 27. (1954).

[3] Jose E. Valmonte, *Farm Ownership and Tenancy in the Philippines*, LAND TENURE, Proceedings of the International Conference on Land Tenure and Related Problems in World Agriculture Held at Madison, Wisconsin, p. 180 (1951; Eligio J. Tavanlar and Deogracias E. Lerma, *Country Review, the Philippines*—Paper presented to the CENTER ON LAND PROBLEMS IN ASIA AND THE FAR EAST, Bangkok, Thailand, 22 November—11 December, 1954.

[4] *See*, generally *Philippine Land Tenure Reform—Analysis and Recommendations*, Special Technical and Economic Mission, Mutual Security Agency, USA, Manila (1952); Generoso F. Rivera and Robert T. McMillan, *The Rural Philippines*. A Cooperrative Project of the PHILCUSA and The United States Mutual Security Agency (October, 1952).

Aside from its tendency to increase, tenancy in this country has been grossly, and unevenly distributed. The uneven distribution has resulted in critically small farms way below economic-size units and has thus resulted in below-subsistence farming among the tenant class. Tenancy distribution in high concentration areas, in which peasant discontent and agrarian uprisings are endemic, is as follows: Pampanga—87.99, Nueva Ecija—75.30, Bulacan—66.00, Tarlac—65.50, Negros Occidental—65.22, Cavite—64.12, Bataan—63.19, Batangas—54.25, Zambales—53.91, Iloilo—53.44, Rizal—50.08. Those with 40% and above follow: Negros Oriental—46.37, Laguna—44.53, Capiz—42.88, Pangasinan—42.80, Camarines Sur—41.05, Leyte—41.00; while those with 30% and above are: Nueva Vizaya—39.77, Quezon—37.65, Romblon—37.11, Sorsogon—37.08, Ilocos Norte—36.74, Albay—35.23, Misamis Occidental—34.54, Ilocos Sur—36.74, Camarines Norte—31.65, Davao—31.30, Isabela—31.21, Masbate—30.25.[5]

The high percentage of tenants to total agricultural population, the great number of share-tenants among the tenant population, and rural poverty induced by uneconomic tenant holdings have made the tenant class especially sensitive to agrarian unrest. This is particularly so since tenancy in the Philippines is, and this is true with most countries, the product of a historical development which has no place under the present-day institutions. The report on the basic causes of agrarian problems by a committee which has reported on large estate problems in this country is enlightening on this score.[6] It underlines the fact that "historically, Philippines agricultural tenure has been largely of a feudal character... (that) the landowner, called *cacique*, and the tenant, known as *aparcero* or *kasama*, operated under a well-established crop-sharing system sanctioned by ancient tradition." (But)..."this system worked without general complaint only as long as farming met the needs of the subsistence economy then prevailing." It encouraged absenteeism, "which burdened the tenant with the profit to be earned for both landowner and *inquilino*... At the turn of the century, after American occupation, the social usefulness of this feudal system began to fall completely apart."[7] In a manner of speaking, tenant discontent and agrarian unrest may be said to have their roots in our history.

*Tenancy Legislations: Their Implementation* — Mainly in implementation of the constitutional precepts on social justice[8] and the provisions on the regulation of landowner-tenant relations in ag-

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[5] *Supra* note 1 at 523.
[6] REPORT AND RECOMMENDATIONS OF THE ADVISORY COMMITTEE ON LAND ESTATE PROBLEMS, April, 1951, p. 7.
[7] *Id.*, p. 19.
[8] PHIL. CONSTITUTION, Art. II, § 5.

riculture,[9] we have formulated a fairly consistent public policy on land reform, two of the principal objectives of which are, (1) to promote social justice as a means of enhancing the well-being and economic security of the people, and (2) to protect tenants.[10]

While policy lines — constitutional and statutory — have, been drawn clearly, a critical appraisal of our past attempts at reforms will readily disclose that policy has been superior to performance. For social legislations of this nature which seek a revision in an area of socio-economic relationship had invariably been found by experience to be difficult of enforcement, a difficulty occasioned not merely by resistance on the part of most landholders but by the inability of the great number of tenants to take advantage of their benefits.[11] A program, therefore, of continuing implementation and vigorous enforcement has been accepted as an important part of the tenure policy and implementing agencies,[12] among which is the Court of Agrarian Relations,[13] have recently been created.

## II. Forerunners of the Court

*The Ordinary Courts of Justice* — The enactment of the Philippine Rice Share Tenancy Act[14] and the Sugar Tenancy Act[15] gave legal recognition to tenancy as an important socio-economic institution and accorded rights to the tenants on rice and sugar farms. But the enforcement of these laws was entrusted to the ordinary courts of justice. This resulted in delay in the disposition of tenancy cases which only served to further foment peasant discontent and agrarian unrest. The government realized the inadequacy of ordinary courts of justice for the speedy enforcement of tenancy laws.

*The Court of Industrial Relations* — Pursuant to the constitutional provision, jurisdiction over landowner-tenant conflicts and those between labor and capital in agricultural lands, was vested in the Court of Industrial Relations.[16] It appeared, however, that this Court, mainly created for and preoccupied with industrial disputes, could not exercise this phase of its jurisdiction, and the civil courts, then with concurrent jurisdiction, continued to attend to tenancy cases.

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[9] *Id.*, Art XIV, § 6.
[10] *Supra* note 1 at 28.
[11] *Id.*, at 525.
[12] E.g. The Agricultural Tenancy Commission (ATC).
[13] Rep. Act No. 1267, as amended by Rep. Act No. 1409.
[14] Public Act No. 4054, approved February 27, 1933.
[15] Public Act No. 4113, approved December 7, 1933.
[16] Com. Act No. 103, creating the Court of Industrial Relations, approved October 29, 1936.

*The Tenancy Law Enforcement Office* — This office under the Department of Justice was created in 1939 to take charge of "the control and suppression of acts of violence and lawlessness arising from agrarian conflicts and the proper enforcement of the Philippine Rice Share Tenancy Act."[17] This jurisdiction of this office was gradually increased to include passing upon the liquidation of crops, their division and the appointement of expenses, and deciding ejectment cases involving tenants.[18] But in 1946 the Rice Share Tenancy Act, which therefore was limited in its application to the principal rice producing regions, was extended and made applicable throughout the entire country.[19] The volume of work of the Tenancy Law Enforcement Office thus increased, and to cope with this situation provincial fiscals, their assistants and justices of the peace were made *ex-officio* representatives of the Department of Justice in the enforcement of tenancy laws.[20]

*The Tenancy Division in the Court of Industrial Relations* — But the Tenancy Law Enforcement Office did not have adequate authority to enforce its decisions and orders with effectiveness.[21] Under the set-up then, the parties could afford to ignore the decisions or orders of the office because they knew that it lacked the power to directly punish them for contempt and the necessary authority to issue writs for the enforcement and execution of its decisions and orders, as enjoyed by the ordinary courts of justice.[22] For this reason, the Tenancy Law Enforcement Office under the Department of Justice was abolished and its personnel, powers, duties, functions, records and equipment were transferred to the Court of Industrial Relations.[23] The provincial fiscals, their assistants and the justices of the peace who, by operation of law were made *ex officio* representatives of the Department of Justice in the enforcement of tenancy laws, however, ceased to act as such upon the abolition of the Tenancy Law Enforcement Office in 1951.[24] For a time, it was thought that the effective enforcement of tenancy laws was finally achieved under the jurisdiction of the Court of Industrial Relations, inasmuch as this Court is fully empowered to enforce its decisions and orders.

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[17] Com. Act No. 413, approved March 7, 1939.
[18] Com. Act No. 608, approved on August 22, 1940, amending Com. Act No. 461.
[19] Exec. Proclam. No. 14 (November 12, 1946).
[20] Rep. Act No. 44, approved October 3, 1946 amending Com. Act No. 461 as amended by Com. Act No. 608.
[21] Com. Act No. 413.
[22] Com. Act No. 461, as amended by Rep. Act No. 44; People vs. Mendoza and Dizon, G.R. No. L-5059 & 5060, January 30, 1953, 49 O.G. (2) 541.
[23] Exec. Order No. 392 (Reorganization Act of 1951).
[24] § 6, Com. Act No. 103, as amended.

## III. Creation of the Court

It became obvious that the Court of Industrial Relations could not fully cope with its additional function of disposing of tenancy cases with the desired promptitude and dispatch. Several defects were noted, among them: (1) that the Court has its seat in Manila, whereas cases involved disputes in the rural areas, (2) due to the application of the theory that judicial functions cannot be delegated, the Commissioners of the Tenancy Division of the Court of Industrial Relations were unable to rule on objections raised during hearings, and (3) the lack of personnel and funds considerably hampered its operation.

The need for a special court devoted exclusively to the enforcement of all laws and regulations governing the relationship of capital and labor on all agricultural lands under any system of cultivation, therefore, became urgent. Republic Act No. 1267, entitled "An Act Creating the Court of Agrarian Relations, Prescribing Its Jurisdiction and Establishing its Rules of Procedure," was enacted on June 14, 1955. Subsequently, Republic Act No. 1409 was passed introducing certain amendments to Republic Act No. 1267. These two laws define and set forth the jurisdiction, powers and functions of the Court of Agrarian Relations.

More specifically, the reasons for the creation of the Court are the enlargement of the application of tenancy legislation to include all crops, besides palay and sugar; the disparity in the social and economic position between the landholder and tenants; the differences in *situs* between farm and industrial cases and disputes; and, the increase in tenancy difficulties, which constitute a continuing threat to the internal security of the country.[25]

## IV. Organization of the Court

*The Judges* — The Court is composed of an Executive Judge and eight (8) Associate Judges with the rank of Judges of the Court of First Instance, who are appointed by the President of the Philippines with the consent of the Commission on Appointments. There is no seniority in rank among the Associate Judges by reason of service or otherwise. The judges may be suspended or removed in the same manner and upon the same ground as the judges of the court of first instance.[26]

The Executive Judge and the Associate Judges have the same qualifications as judges of the court of first instance and in addition

[25] See Explanatory Note to Senate Bill No. 142 (2nd Session of the 3rd Congress of the Republic of the Philippines, commenced on January 31, 1955).
[26] §2, Rep. Act No. 1267, as amended by Rep Act No. 1409.

must have engaged in the actual practice of law or must have held a government position requiring the qualifications of a lawyer for at least ten years prior to their appointment and must be at least thirty-five years of age. They shall hold office during good behavior until they reach the age of seventy years or become incapacitated to discharge the duties of their office.[27]

*The Commissioners* — In addition, there are twenty-four (24) Commissioners of the Court who, upon designation by the Judge under whom they are assigned and subject to the latter's direction and supervision, hear the evidence of the parties on a case on any disputed point or issue and have the duty to submit reports, together with the records of all cases heard by them within six (6) days after the termination of the hearing.[28]

*Clerks and Deputy Clerks of Court* — There are as many clerks of court as there are judges, who exercise the same powers and perform the same duties in regard to all matters within the jurisdiction of the Court as exercised and performed by the Clerk of the Court of Appeals insofar as the same may be applicable. The same number of Deputy Clerks of Court is provided.[29]

The Tenancy Division of the Court of Industrial Relations was abolished and its personnel were transferred to the Court of Agrarian Relations.[30]

*Regional Districts* — As already mentioned, one of the principal defects in the enforcement of tenancy laws by the Court of Industrial Relations was that while the principal seat of the Court is in Manila, the tenancy disputes arise in the provinces. Indeed, there is no better way to settle or adjudicate tenancy disputes and/or cases than to bring the Court to the rural areas where the disputes arise. The plan to make the Court as accessible as possible to farm elements was implemented, thru the division of the country, in accordance with tenancy incidence, into nine (9) regional districts.[31] Except for the Executive Judge who presides over the Fourth Regional District with seat at Manila and performs the administrative functions of the Court, the Associate Judges are assigned to the provinces where tenancy disputes are most recurrent.

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[27] § 8, *id.*
[28] § 15(A), *id.*; § 2, Rule 9, Rules of the Court of Agrarian Relations.
[29] § 15(B) and (C), Rep. Act No. 1267, as amended.
[30] § 17, *id.*
[31] Adm. Order No. 1, dated November 21, 1955; Adm. Order No. 72, dated March 19, 1956, Court of Agrarian Relations. The seats of the nine Regional Districts are: First, Lingayen, Pangasinan; Second, Cabanatuan, N.E.; Third, San Fernando, Pampanga; Fourth, Manila; Fifth, San Pablo, Laguna; Sixth, Naga Camarines Sur; Seventh, Cebu, Cebu; Eighth, Iloilo, Iloilo; and Ninth, Davao, Davao.

## V. JURISDICTION

*In General* — The Court of Agrarian Relations has original and exclusive jurisdiction over the entire Philippines "to consider, investigate, decide and settle all questions, matters, controversies or disputes involving all those relationships established by law which determine the varying rights of persons in the cultivation and use of agricultural land where one of the parties works the land."[32] In addition the Court has exclusive jurisdiction over all cases involving the dispossession of a tenant by the landholder or by a third party and/or the settlement and disposition of disputes arising from the relationship of landholder and tenant as well as the violation of any of the provisions of Republic Act No. 1199.[33]

*Criminal Jurisdiction* — In this connection, a question once arose as to whether this Court has criminal jurisdiction to try cases involving violations of Rep. Act No. 1199. On one hand, Section 21 of Rep. Act No. 1199 gives original and exclusive jurisdiction to "such Court, as may now or hereafter be authorized by law to take cognizance of tenancy relationship and disputes". On the other hand, congressional records support the contention that with the amendment of Rep. Act No. 1267 by Rep. Act No. 1409, this criminal jurisdiction has been abolished.[34] Mindful of the danger of arrogating unto itself jursidiction which may not have been intended to be vested on it, this Court adopted the latter view. A case involving a violation of Rep. Act No. 1199 was referred to the Provincial Fiscal of Nueva Ecija for preliminary investigation.[35] Along the same vein was the reference of nine (9) other criminal cases involving violations of tenancy laws to the Court of First Instance of Nueva Ecija where they were originally filed, but were subsequently endorsed to the Court of Agrarian Relations.[36]

*Farm Laborers* — The original law creating the Court conferred on it not only *original and exclusive* jurisdiction to investigate and decide all controveries or disputes "involving all those relationships established by law which determine the varying rights of persons in the cultivation and use of agricultural land where one of the parties works the land" but also "concurrent jurisdiction with the Court of First Instance over employer and farm employee under Republic

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[32] § 7, Rep. Act No. 1267, as amended.

[33] § 21, Rep. Act No. 1199.

[34] See Congressional Proceedings on House Bill No. 4506 and Senate Bill No. 382 during the 2nd Special Session of the 3rd Congress of the Republic of the Philippines which commenced on July 7, 1955 as cited in CAR JOURNAL 70-74 (March, 1956).

[35] People vs. Agustin, et al., Case No. 2293—Nueva Ecija (CIR); See 1st Indorsement dated April 19, 1956, of the Hon. Undersecretary of Justice.

[36] Criminal Cases Nos. 3557, 3694, 3742, 4133, 3669, 3616, 3638, 3659 & 3307 of the CFI of Nueva Ecija.

Act No. 602 and over landlord and tenant involving violations of the Usury Law (Act No. 2655, as amended) and of inflicting the penalties provided therefor."[37] It is contended that such original and exclusive jurisdiction includes jurisdiction over farm employees or laborers because the relationships between the landowner and farm laborer in the cultivation of agricultural land where the latter is hired to work the land is one relationship established by law. Thus, although the provision on the concurrent jurisdiction of the Court with respect to the Minimum Wage Law was deleted from Section 7 of Rep. Act No. 1267 when it was amended by Section 5 of Rep. Act No. 1409, it is maintained that the Court retained its jurisdiction to investigate and decide all other disputes beween landowner and farm laborer.

## VI. DECISIONS OR ORDERS

*Nature and Character* — In issuing an order or decision, the Court is not restricted to the specific relief claimed or demands made by the parties to the dispute but may include in the order or decision any matter or determination which may be deemed necessary and expedient for the purpose of settling the dispute or of preventing further disputes provided that said matter for determination has been established by competent evidence during the hearing.[38]

*Review by the Supreme Court* — Appeal may be taken from an order or decision of the Court and a review of such order or decisions may be obtained in the Supreme Court by filing in such Court, within 15 days from receipt of notice of such order or decision, a written petition praying that a decision or order be modified or set aside in whole or in part.[39] The review by the Court shall be limited to questions of law and findings of fact when the decision is not supported by substantial evidence.[40]

*Execution of Order or Decision* — At the expiration of 15 days from notice of the order or decision, judgment shall be entered in accordance therewith, unless during said 15 days an aggrieved party shall move for a reconsideration of the order or decision or appeal therefrom to the Supreme Court.[41]

But the institution of an appeal shall *not* stay the execution of the decision or order sought to be reviewed, unless for a special reason, the Court of Agrarian Relations or the Supreme Court shall order that execution be stayed, in which event, the Court in its dis-

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[37] § 7, Rep. Act No. 1267.
[38] § 12, *id.*
[39] § 18, *id.*
[40] *Ibid.*
[41] § 12, Rep. Act No. 1267.

cretion, may require the appellant to deposit with the Clerk of Court such amount as would answer for the sum involved in the order or decision or require him to give both in such form and in such amount as to insure compliance with the order or decision in case the same is confirmed. An exception to the foregoing is a decision ejecting a tenant from his landholding which shall not be executed until after the decision has become final and conclusive. Any order or decision of the Court of Agrarian Relations after it has become executory is enforced by a writ of execution or any other remedy provided by law in respect to enforcement and execution of orders, decisions or judgments of the Court of First Instance.[42]

## VII. Special Features

The principal features of the Court specially designed to gear its performance along the lines of accessibility, optimum service to parties-litigants and flexibility are the following:

*No Docket Fees* — The Court does not charge any kind of fees for the filing of complaints and other pleadings.

*Organizational Flexibility* — The Associate Judges and Commissioners have no permanent assignment. They may be assigned to any province in any number as the agrarian cases filed within the province may warrant. More judges and commissioners could be assigned to areas with high incidence of tenancy cases.

*Summary Proceedings; Less Technicalities* — The Court conducts summary proceedings without regard to technical rules of evidence, but with due regard to due process requirements. The hearing of cases shall be completed within a period of 30 days unless otherwise extended for reasons specifically enumerated in the law, and an order or decision on the same shall be issued by the Court within a period of 15 days from the date of its submission. A case set for hearing cannot be allowed more than two postponements not exceeding a week each, subject to certain well-defined exceptions.[43] This feature provides for prompt settlement of disputes which will prevent and do away with the evils of long-drawn litigations.

*Rules of Procedure* — Implementing Section 10 of Rep. Act No. 1267, as amended, the Court adopted its own Rules of Procedure which was approved on December 12, 1955 and amended on February 14, 1956. The rules contained therein are particularly designed to enable a prompt and equitable disposition of cases.

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[42] *Ibid.*
[43] § 10, *id.*

*Spot Hearings* — One of the advantages tenants and landowners derive from the CAR is that whenever the facilities of the Court permit, tenancy cases may be heard right in the farms where the disputes arose. In other words, the farmers and the landowners will not have to go to the provincial capital. The Court will go to them and conduct hearings in the Municipality or barrio where the landholding in question is situated.[44]

*Interlocutory Orders* — Another benefit afforded to parties-litigants is the granting of urgent and specific reliefs pending final decision of a case. In a liquidation case, for instance, the Court can authorize delivery to the parties of the undisputed portion of the harvest even before the case is decided. A tenant who is threatened with ejectment from the land he is tilling is likewise granted certain reliefs. For instance, as long as the case has not yet been decided, he may continue as tenant and work on the land with all the rights and privileges he enjoyed before the case was brought to Court.[45]

## VIII. THE ACCOMPLISHMENTS OF THE COURT

*Status of the Dockets* — Upon its organization, the Court found its dockets full with 2,800 pending cases which it inherited from the Tenancy Division of the Court of Industrial Relations. A systematic and expeditious processing of these cases was at once mapped out and made one of the immediate objectives of the Court. The results have been very encouraging. To date, barely six months after its organization, the Court, through the combined efforts of its judges, was able to decide and dispose of by decisions or final orders 728 of these backlog cases, take steps for the completion of hearings in 1,490 cases, and the enforcement thru proper writs of execution of 82 cases decided by the Court of Industrial Relations. New cases—1,494—were docketed and set for hearing and of these, 467 have already been terminated.[46]

*Jurisprudence on Agricultural Tenancy* — The usual cases filed with the Court deal with reliquidation and/or liquidation of crops, ejectment of tenants, interpretation of tenancy contracts, petitions for mechanization, settlement of accounts, reinstatement, recovery of damages, and other related issues arising from landholder-tenant relations. In passing upon these cases, the Court has had opportunities to decide on important and otherwise controversial legal questions, contributing, in no small measure, to the meager jurisprudence on tenancy. Thus, where the system of planting is through broad-

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[44] § 6, *id.*
[45] § 3, Rule 10, Rules of the Court of Agrarian Relations.
[46] 1 CAR JOURNAL 82 (June, 1956).

casting which is not provided by law,[47] it was held that the 25% assigned as the equivalent of this contribution should be divided equally between the landholder and the tenant, upon the well-recognized principle of partnership — which share tenancy has been held to be — that the partners share in its profits and losses;[48] in coconut plantations, the mere fact that one did not actually plow, harrow, and plant the land does not necessarily mean that he is not a tenant on the land in question for the words "cultivates the land"[49] is not limited to the plowing and harrowing of the land;[50] old age *per se*, is not a just cause to eject a tenant and where a tenant, upon reaching the age of 70, still manifests his willingness to work and in the absence of evidence to show that he is physically and mentally unable to comply with his statutory and contractual obligations to his landholder, there is no valid ground to eject him;[51] in another case, the Court sustained a tenant's contention that his mere refusal to sign a new contract proferred to him after the expiration of the original one, is not a just cause for his ejectment;[52] the fact that a tenant engaged himself in some auxiliary industry to supplement his income is not sufficient cause to dispossess him; rather, tenants should be helped and encouraged toward self-help and pursuit of auxiliary industries for gainful employment, which cannot fail to contribute towards sound rural economy;[53] the legal imposition that serious doubts should be resolved in favor of tenants[54] has been held not applicable where the question involves the appreciation of conflicting testimonies of the opposing parties and their witnesses; instead, the principle of equiponderance of evidence should be resorted to;[55] a tenant who divided the crop in violation of the sharing basis

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[47] See § 32, Rep. Act No. 1199. In this case, no transplanting expenses were incurred because the tenant adopted the so-called "broadcasting method" whereby the seeds are strewn or scattered directly to the landholding in lieu of transplanting.

[48] Macario Zarsoso vs. Sabina Morales, et al., Case No. 46-Albay, promulgated April 26, 1956 (Judge Jose R. Cabatuando) I CAR JOURNAL 28 (June, 1956).

[49] § 5(a), Rep. Act No. 1199.

[50] Antonio Hernandez vs. Catalina Capunpon, et. al., Case No. 5559-Quezon, promulgated March 9, 1956, (Judge Jose M. Santos); I CAR JOURNAL, 37 (March, 1956).

[51] Gregorio Sulit vs. Flaviana Lim, Case No. 5199-Bulacan, promulgated January 3, 1956 (Judge Jose R. Cabatuando); *id.* at 26 (March, 1956).

[52] S. Pineda, et al. vs. Pingul and the CIR, G.R. No. L-5565, promulgated September 30, 1952; Roxas y Cia vs. Cristituto Alegre, et al., Case No. 4969-Batangas, promulgated February 1, 1956 (Judge Jose R. Cabatuando); *id.* at 28. (March, 1956).

[53] Cirilo Villardo vs. Salvador de Leon, Case No. 441-Negros, promulgated April 18, 1956 (Executive Judge Guillermo S. Santos) *id.* at 23; (June, 1956); Fidel Pama vs. Rosario Singson, Case No. 327-Iloilo, promulgated June 15, 1956 (Judge Tomas P. Panganiban); *id.* at 42 (June, 1956).

[54] § 56, Rep. Act No. 1199.

[55] Macario Ramirez vs. Antonio Ventura and Anastacio Abad, Cases Nos. 261-262-Pangasinan, promulgated April 5, 1956 (Judge Domingo M. Cabangon); I CAR JOURNAL, 22 (June, 1956).

provided by law is not estopped to petition the Court for a reliquidation, because the doctrine of estoppel cannot be adopted where the act or deed constituting estoppel is pronounced by law to be contrary to established public policy.[56]

*Protection of Tenants' and Landholders' Rights* — Created to safeguard the rights of both landholders and tenants,[57] the Court in the determination of cases brought before it, has resolved agrarian controversies with scrupulous regard to the rights of both parties. Thus, while the tenants' security of tenure has time and again been upheld as a major policy consideration of the law,[58] in cases where the tenants have clearly violated the law and/or the terms of their contract, the Court has not hesitated to authorize their ejectment.[59] A landholder from Batangas, who for five years had not been able to participate in the harvest or even step on his own holding, was finally accorded the right accruing to him as landholder, after five years of protracted proceedings.[60] The *bona fide* intention of a landowner to convert the use of his agricultural land, held under tenancy into a subdivision for residential purposes was recognized as a just and legal mode of terminating tenancy relationship, because to hold otherwise would, in effect, abridge the property rights of the landowner.[61] In Davao, some 130 tenants of a large estate were ordered ejected from the landholding when the records of the case revealed

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[56] Lope Nato vs. Bernardino Sarno, Case No. CAR 19-Cavite (56) promulgated May 15, 1956 (Executive Judge Guillermo S. Santos) *id.* at 34 (June, 1956).

[57] § 2, Rep. Act No. 1199.

[58] Pablo Natividad vs. Francisco Buenaflor, Case No. 550-Pangasinan, promulgated January 24, 1956 (Judge Domingo M. Cabangon), I CAR JOURNAL 27 (March, 1956); Crisostomo Legarda, et al. vs. Marciano Digdigan, Case No. 161-Iloilo, promulgated February 13, 1956 (Judge Tomas P. Panganiban), *id.* at 29 (March, 1956); Pablo Noble, et al. vs. Lucina Fatagani, et al., Case No. 54-Iloilo, promulgated February 14, 1956 (Executive Judge Guillermo S. Santos), *id.* at 79 (March, 1956); Cirilo Pornes vs. Pedro Ykalina, Case No. 415-Negros, promulgated February 27, 1956 (Judge Tomas P. Panganiban), *id.* at 34 (March, 1956); Jose Santos vs. Aurora Marcelo and Jose Rodriguez, Case No. 5570-Pampanga, promulgated May 8, 1956 (Judge Pastor P. Reyes), *id.* at 31; (June, 1956); Numeriano Musca vs. Dalmacio Briones, Case No. CAR 12-Quezon (56), promulgated June 22, 1956, *id.* at 45 (June, 1956).

[59] Jose Feliciano vs. Diosdado Muñoz, Case No. 389-Pampanga, promulgated April 21, 1956 (Judge Pastor P. Reyes), *id.* at 27 (June, 1956); Hacienda Tanjangco and Alfonso Ignacio vs. Benigno Fernandez, Case No. 2494-Nueva Ecija, promulgated May 4, 1956 (Judge Pastor de Guzman), *id.* at 31 (June, 1956); Andres Calagui vs. Ines Sicat, Case No. 759- Tarlac, promulgated May 14, 1956 (Judge Pastor P. Reyes), *id.* at 33 (June, 1956); Atillano Dizon vs. Antonio Canlas, et al., Case No. 110-Pampanga, promulgated June 5, 1956 (Executive Judge Guillermo S. Santos), *id.* at 36 (June, 1956).

[60] Luis Baylosis, et al. vs. Agapito Alajar, et al., Cases Nos. 871 to 878-Batangas, promulgated December 20, 1955 (Executive Judge Guillermo S. Santos).

[61] Mariano S. Santos vs. Alejandro de Guzman, Case No. CAR 4-Rizal, promulgated June 12, 1956 (Executive Judge Guillermo S. Santos), I CAR JOURNAL 39 (1956).

that they had reduced to waste a once prosperous landholding.[62] On the other hand, a landholder in Iloilo was adjudged and ordered to pay the substantial amount of ₱8,820.00 to her tenant on riceland whom she had unknowingly short-shared for fully seven years;[63] while the owner of a coconut plantation in Mindanao was found to be liable in the amount of ₱4,400.00 as share of her tenants who had been illegally ejected.[64] Several tenants in Cebu, who had been sharing on the 50-50 basis, for as long as they could remember, only recently entered into an agreement with their landholder placing their sharing basis in accordance with the Agricultural Tenancy Act, thereby raising their income by an average of five cavans of palay per agricultural year.[65] In Nueva Ecija, eight tenants who had been forcibly ejected from their landholdings way back in February, 1950, were reinstated in their holdings where other tenants had been placed, after five years of tedious litigation,[66] and a tenant in Bicol, who had not been reinstated, notwithstanding a decision in his favor rendered by the Court of Industrial Relations in 1950, was finally reinstated in 1956 by means of a writ of execution issued by the Court.[67]

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[62] Free Tenants Union of Bago Iñigo Estate vs. Carlos Iñigo, et al., Case No. 5477-Davao, promulgated February 25, 1956 (Judge Jose R. Cabatuando).

[63] Ruperto Ortillo vs. Encarnacion Gonzaga, Case No. 194-Iloilo, promulgated April 5, 1956 (Executive Judge Guillermo S. Santos).

[64] Pancito Binaoro vs. Margarita M. de Geralc, Case No. 5584-Ozamis City, promulgated July 26, 1956 (Executive Judge Guillermo S. Santos).

[65] Segundo Deguilimo, et al. vs. Sergio Osmeña, Case No. CAR 22-37-Cebu (56), promulgated July 13, 1956 (Executive Judge Guillermo S. Santos).

[66] Bienvenido Lapuz, et al. vs. Lucia Vda. de Tinio, Case No. 1901-Nueva Ecija, promulgated March 5, 1956 (Executive Judge Guillermo S. Santos), I CAR JOURNAL 35 (March, 1956).

[67] Escolastico Ordanza vs. Joaquin Balmeo, Case No. 2656-Camarines Sur, promulgated April 26, 1956 (Executive Judge Guillermo S. Santos).