

Title: Tan Seng Hoo & Co. v. Manuel de la Fuente, Mayor of the City of Manila, et al.

Facts: The petitioners in this case were Chinese citizens and holders of market stalls within public markets in the City of Manila, having acquired their leases under licenses consistent with Republic Act No. 37 and Department of Finance Order No. 32. Petitions were awarded stalls only in the absence of Filipino applicants. On May 26, 1949, the petitioners received notifications mandating that they vacate their stalls within 24 hours and that police would be employed to remove them if they did not comply. The petitioners filed for prohibition to prevent enforcement of the notices. The Court of First Instance issued a preliminary injunction, which was eventually dismissed, leading to the appeal to the Supreme Court of the Philippines.

Issues:

1. Whether the petitioners have a legal right to continue occupying their market stalls despite the expiration of their licenses.
2. Whether the petitioners, being Chinese citizens, should be barred from occupying market stalls simply because they are aliens.
3. Whether occupying a market stall can be equated to occupying a taxicab as a public utility.

Court's Decision:

The Court affirmed the decision of the lower court, holding that:

1. The licenses granted to the petitioners expired upon the lapse of the stated period (one year), making it untenable for them to claim an ongoing right to the stalls without renewal.
2. The petitioners' occupancy was granted as an act of grace or concession under the condition of there being no Filipino applicants; thus, it was precarious and subject to revocation by city authorities at any time.
3. Occupying a market stall, expressly reserved for Filipinos as per constitutional provisions, is a privilege and not an inalienable right. The petitioners' alien status barred them from claiming such occupancy as a right.
4. The occupation of a stall in a public market is a privilege conferred by the Constitution to Filipino citizens and is, therefore, part of the nationalization of public markets.
5. The Court distinguished between public utility operation and stall lease, rejecting the analogy with riding in a taxicab, as the latter involves a service purchased by the consumer, not the exploitation of a public utility or privilege.

Doctrine:

The Supreme Court emphasized the doctrine that the operation and occupancy of public market stalls are reserved for Filipino citizens. Non-citizens may be allowed to occupy market stalls only in the absence of Filipino applicants and such occupancy is not of right but may be revoked by the city authorities at any time.

Historical Background:

The context of this decision is rooted in the nationalistic policies of the Philippines after gaining independence. The Philippine Constitution and subsequent legislative acts sought to protect and prioritize Filipino citizens in various economic activities, including public market operations. The public service sector, including market stalls, was increasingly viewed as a sphere reserved for Filipinos as part of a broader movement to ensure national control over domestic resources and industries, reflected in the judicial interpretations during that period.