

### ### Title

Engrace Niñal, et al. vs. Norma Bayadog

### ### Facts

This case arose from the marriage of Pepito Niñal to Norma Bayadog on December 11, 1986, without a marriage license, claiming exemption due to living together as husband and wife for at least five years. Pepito's previous marriage to Teodulfa Bellones, with whom he had children (the petitioners), was terminated by her death on April 24, 1985, following an incident of domestic violence. Pepito thereafter died in a car accident on February 19, 1997. The petitioners then sought to declare Pepito's marriage to Norma void ab initio due to lack of a marriage license, asserting their succession rights were affected. Norma countered, asserting the petitioners lacked standing, referencing Article 47 of the Family Code, which did not include them among individuals eligible to file for annulment of marriage.

The Regional Trial Court of Toledo City, Cebu, dismissed the case, suggesting that the petitioners should have sought relief before Pepito's death and expressing ambiguity in applying the Family Code to their circumstances. The petitioners' initial appeal was dismissed due to procedural errors, but upon motion, the dismissal was reconsidered, reinstating their petition for review before the Supreme Court.

### ### Issues

The Supreme Court examined whether:

1. The heirs of a deceased individual could file a petition for the declaration of nullity of the deceased's marriage after his death.
2. The marriage between Pepito and Norma was void due to the absence of a marriage license.
3. The cohabitation period cited by Pepito and Norma satisfied the exemption requirements under the Civil Code for marriage without a license.

### ### Court's Decision

The Supreme Court ruled in favor of the petitioners, reinstating the case and reversing the lower court's decision. The Court clarified that:

1. Heirs have standing to challenge the validity of their deceased parent's marriage posthumously when it affects their successional rights, as the marriage in question was void ab initio and thus could be assailed at any time.
2. The marriage between Pepito and Norma was void from the start due to the lack of a valid marriage license. The cohabitation exemption did not apply because Pepito's first

marriage was still valid during the initial years of cohabitation with Norma, failing the requirement for a continuous, exclusive living together as husband and wife for at least five years prior to the second marriage.

3. Legal impediments during the claimed cohabitation—such as the subsistence of Pepito’s first marriage—prevented the application of the exemption from securing a marriage license.

### ### Doctrine

This case solidifies the distinction between void and voidable marriages within Philippine legal jurisprudence. For void marriages, any interested party can challenge the marriage’s validity at any time, as such a marriage is deemed never to have occurred. This contrasts with voidable marriages, where actions for annulment must be brought during the lifetimes of the parties involved. The decision reiterates that the declaration of a marriage’s nullity does not require a judicial decree when the purpose is other than remarriage, but such a declaration is necessary for purposes like determination of heirship or property division.

### ### Class Notes

- A marriage is deemed void ab initio if essential requisites, like a marriage license, are absent, rendering the marriage legally non-existent from the outset.
- Heirs have legal standing to challenge the validity of a deceased parent’s void marriage if it affects their inheritance rights.
- A void marriage can be challenged by any interested party at any time and does not confer legal rights, except as specifically mentioned by law concerning property and children.
- The cohabitation exemption to the marriage license requirement necessitates an unbroken, exclusive living together as husband and wife for at least five years, without any legal impediment to marry throughout the period.

### ### Historical Background

This decision reflects the evolving interpretation of the Family Code and Civil Code concerning marriage’s social and legal implications in the Philippines. The ruling underscores the state’s interest in the sanctity and legal integrity of marriage, balancing individual rights with societal values and norms. It highlights the judiciary’s role in addressing ambiguities in the law, especially regarding family relationships and succession rights.