

Title:

Acain vs. Intermediate Appellate Court: The Doctrine of Preterition and Its Implication on Probate Proceedings

Facts:

The case unfolds from the petition initiated by Constantino Acain for the probate of the will of the deceased Nemesio Acain in the Regional Trial Court of Cebu City, Special Proceedings No. 591-A-CEB. Nemesio Acain's will, executed on February 17, 1960, named his brother's children—including Constantino—as his heirs, following the predecease of his brother Segundo.

Virginia A. Fernandez, a legally adopted daughter of the deceased, and Rosa Diongson, his widow, opposed the probate. Their opposition rested on the grounds that Constantino, being merely a universal heir, lacked the legal capacity to file the petition. They argued that the will preterited the legally adopted daughter and the widow, thus, should be dismissed.

The trial court ruled against the motion to dismiss, prompting the respondents to elevate the matter to the Supreme Court via a petition for certiorari and prohibition with preliminary injunction. The Supreme Court redirected the case to the Intermediate Appellate Court, which eventually ordered the dismissal of the probate petition, citing the preterition of the adopted daughter, Virginia Fernandez. Constantino Acain then brought the case to the Supreme Court for review.

Issues:

1. Whether the Intermediate Appellate Court was correct in ordering the dismissal of the probate petition based on the grounds of preterition.
2. The determination of whether certiorari and prohibition were the appropriate remedies applied by the respondents.
3. Examination of the trial court's jurisdiction or lack thereof, in addressing the intrinsic validity of the will during probate proceedings.

Court's Decision:

The Supreme Court denied the appeal of Constantino Acain, thereby affirming the decision of the Intermediate Appellate Court that dismissed the probate petition. The High Court recognized the total preterition of the adopted daughter, Virginia A. Fernandez, which nullified the institution of heirs. This nullification led to the opening of total intestacy, barring any provisions related to legacies and devises stated in the will.

The Court highlighted that the probate court's authority traditionally centers on the extrinsic validity of a will; however, the intrinsic validity may be examined when faced with clear cases of preterition or other exceptional circumstances. Since preterition annuls the institution of heirs, this case warranted an exception to bypass the rule, justifying the appellate court's intervention through certiorari.

Doctrine:

This case reiterates the doctrine of preterition outlined in Article 854 of the New Civil Code, wherein the omission of compulsory heirs in the direct line from the testamentary dispositions annuls the institution of heirs. It further outlines the jurisdiction of probate courts, emphasizing that while they may primarily concern themselves with the extrinsic validity of wills, intrinsic validity can be adjudicated under exceptional scenarios like evident preterition.

Class Notes:

- **Key Concept: Preterition** - The complete omission of one or more compulsory heirs in the direct line from a will, leading to total intestacy except for valid legacies and devises.
- **Essential Statute: Article 854 of the New Civil Code** - Offers the legal foundation of preterition and its consequences on the validity of testamentary dispositions.
- **Probate Court Jurisdiction** - Primarily focused on the extrinsic validity of wills, but can extend to intrinsic aspects under exceptional circumstances such as clear instances of preterition.
- **Use of Certiorari in Probate Matters** - Certiorari and prohibition are exceptional remedies in probate proceedings, especially when utilized to address grave abuses of discretion, like overlooking clear grounds for dismissal of a probate petition.

Historical Background:

The case presents a nuanced exploration of the Philippine legal system's treatment of wills, specifically focusing on the implications of preterition. It underscores the evolving jurisdiction of probate courts in the Philippines and the balance between extrinsic and intrinsic examination of wills during probate proceedings. The decision reiterates established Philippine jurisprudence on the doctrine of preterition, emphasizing the protections afforded to compulsory heirs under the law.