

Title: In the Matter of the Probate of the Will of Rosario Nuguid: Remedios Nuguid vs. Felix Nuguid and Paz Salonga Nuguid

Facts:

Rosario Nuguid, a resident of Quezon City, Philippines, passed away on December 30, 1962, leaving behind a holographic will dated November 17, 1951. She died single, without descendants. Her surviving relatives included her legitimate parents, Felix Nuguid and Paz Salonga Nuguid, and six siblings. Remedios Nuguid, the petitioner and one of Rosario's siblings, sought the probate of this holographic will, in which Rosario named Remedios as the universal heir to her estate.

The will's probate faced opposition from Rosario's parents, Felix and Paz, on the grounds that it effectively omitted them as compulsory heirs in the direct ascending line, which under Philippine Civil Code Article 854, constituted an instance of preterition that rendered the institution of the universal heir void.

Subsequent motions and oppositions led to the Court of First Instance of Rizal dismissing the petition for probate, citing the will's nullity due to preterition of compulsory heirs, thereby transitioning the estate to intestate succession. Remedios's motion for reconsideration was denied, prompting an appeal to the Supreme Court of the Philippines.

Issues:

1. Whether the will in question should undergo probate despite the clear issue regarding its intrinsic validity based on the omission of compulsory heirs.
2. The application and interpretation of Article 854 of the Civil Code concerning preterition and its effect on the will's provisions establishing an heir.
3. The distinction between preterition and disinheritance and the applicable legal consequences on the will.

Court's Decision:

The Supreme Court affirmed the lower court's decision, holding that the holographic will of Rosario Nuguid was void due to preterition of compulsory heirs in the direct ascending line (her parents). The Court bypassed the typical probate process, focusing directly on the intrinsic validity of the will's provisions due to the practical considerations and the clear legal issue presented.

1. On the probate of the will, the Court sidestepped the procedural aspect and addressed the core issue of intrinsic validity, citing practicality and judicial economy.

2. Concerning preterition, the Court determined that the complete omission of compulsory heirs (Rosario's parents) in the will led to the annulment of the institution of the universal heir, as mandated by Article 854 of the Civil Code, resulting in an intestate estate.

3. On differentiating preterition from disinheritance, the Court elucidated that preterition involves an omission without express disinheritance and results in total nullity of the will's institution of heir, whereas disinheritance specifically requires a legal cause and only affects the portion of the estate from which the heir is disinherited.

Doctrine:

This case reaffirmed the doctrine of preterition as outlined in Article 854 of the Civil Code, which holds that the omission of one or more compulsory heirs in the direct line from a will annuls the institution of any heir, thereby necessitating intestate succession unless there are specific devises or legacies that survive the nullity of the institution of an heir.

Class Notes:

- ****Preterition vs. Disinheritance****: Preterition involves the omission of compulsory heirs without express disinheritance and leads to the nullity of the institution of heirs. Disinheritance is the express removal of an heir for a legal cause, affecting only the portion of the estate related to the disinherited heir.
- ****Article 854 of the Civil Code****: Key statutory provision, establishing that preterition of compulsory heirs in the direct line nullifies the institution of heirs.
- ****Intrinsic validity of wills****: The focus on whether the provisions within the will adhere to legal requirements, including the consideration of compulsory heirs.
- ****Holographic Wills****: Such wills are written, dated, and signed by the hand of the testator themselves. Probate can be sidestepped if the intrinsic validity is evidently null due to legal infractions like preterition.

Historical Background:

The case encapsulates the legal principles surrounding the rights of compulsory heirs in the Philippines, demonstrating the protective measures in the Civil Code to ensure their inclusion or rightful disinheritance in testamentary dispositions. It illustrates the judiciary's role in interpreting testamentary documents in light of codified laws, reflecting the blend of Spanish legal traditions with indigenous societal norms.