

### Title:

Estrellita Juliano-Llave vs. Republic of the Philippines, et al.

### Facts:

Eleven months before his demise, Senator Mamintal A.J. Tamano (Sen. Tamano) married Estrellita Juliano-Llave (Estrellita) under Islamic laws in Cotabato City and subsequently under civil rites. Sen. Tamano was indicated as “divorced” in their marriage contracts. Estrellita represented herself as Sen. Tamano’s wife and widow post his death.

Haja Putri Zorayda A. Tamano (Zorayda) and her son Adib Ahmad A. Tamano (Adib) filed a complaint for nullity of marriage between Sen. Tamano and Estrellita in the Regional Trial Court (RTC) of Quezon City, claiming that the marriage was bigamous as Sen. Tamano was still married to Zorayda under civil rites from 1958.

Estrellita filed a Motion to Dismiss, arguing that the RTC lacked jurisdiction as the matter should fall under Sharia courts, but the RTC denied it. Estrellita took the matter to the Supreme Court but continued to participate in the trial without submitting an answer. The RTC proceeded with the trial, and the CA and Supreme Court eventually affirmed the RTC’s jurisdiction and the decision declaring Estrellita’s marriage void ab initio due to bigamy.

### Issues:

1. Whether the CA erred in affirming the RTC judgment despite procedural concerns raised by Estrellita.
2. Whether Estrellita’s marriage to Sen. Tamano was bigamous.
3. Whether Zorayda and Adib have legal standing to have Estrellita’s marriage declared void ab initio.

### Court’s Decision:

1. The Court held that Estrellita’s refusal to submit an answer and her attempts to delay the proceedings did not deprive her of the right to due process. The pendency of a certiorari petition does not suspend trial proceedings of the principal suit.
2. The Court found that Estrellita’s marriage to Sen. Tamano was void ab initio due to bigamy. Sen. Tamano’s marriage to Zorayda, governed by the Civil Code, was never dissolved, thus the second marriage was illegal.
3. The Court held that Zorayda and Adib, as the injured parties, have legal standing to file for the declaration of nullity of marriage because their property and emotional rights were affected.

### Doctrine:

The case reiterates the principle that laws operate prospectively and do not impair vested rights unless expressly declared. It emphasizes the invalidity of bigamous marriages and the jurisdiction of the RTC in cases involving marriages celebrated under both civil and Islamic rites. It also clarifies that prior spouses and children can have legal standing to challenge a subsequent bigamous marriage.

### Class Notes:

- **Bigamous Marriages**: Under Article 35 of the Family Code of the Philippines and Article 83 of the Civil Code, bigamous marriages are void from the beginning.
- **Jurisdiction over Marital Issues Involving Muslims**: Even when one party is Muslim and married under Islamic law, the RTC can exercise jurisdiction if the issue falls within the general jurisdiction not specifically allocated to Sharia courts.
- **Legal Standing in Nullity Cases**: A.M. No. 02-11-10-SC, specifying that only the husband or wife may file a petition for nullity, does not prevent a prior spouse from filing if the basis is bigamy.
- **Procedural Rights vs. Dilatory Tactics**: Parties cannot benefit from their own refusal to participate properly in court proceedings or use petitions for certiorari to unduly delay trials.

### Historical Background:

This case reflects the intersection of civil laws and Muslim personal laws in the Philippines, especially in marriage and family relations. It highlights the complexities arising from the dual legal frameworks governing marriages among Muslims and how such issues are resolved within the Philippine judicial system.