

****Title:**** *Lourdes Ramirez-Cuaderno vs. Angel Cuaderno*

****Facts:****

The case originated from a complaint filed by Lourdes Ramirez-Cuaderno against her husband, Angel Cuaderno, for support on August 14, 1957. The couple had been living separately since November 17, 1956, following an incident where Angel inflicted bodily injuries on Lourdes during a quarrel, subsequently taking her to her mother's house. Lourdes argued that she was maltreated and abandoned, necessitating her claim for maintenance. Angel contested the claim, alleging that Lourdes left the conjugal dwelling of her own accord, and thus was not entitled to support.

The Juvenile and Domestic Relations Court ruled in favor of Lourdes, ordering Angel to pay her a monthly support of P150.00 from the date of the complaint filing, alongside attorney's fees and the costs. Angel appealed the decision to the Court of Appeals, which reversed the lower court's ruling. The appellate court believed that cohabitation between the spouses was not yet impossible and admonished them to resume living together. Dissatisfied, Lourdes sought review from the Supreme Court.

****Issues:****

1. Whether the Court of Appeals erred in setting aside the trial court's decision granting Lourdes monthly support from Angel.
2. Whether compelling or urging the spouses to live together is realistic given the circumstances.
3. Whether the support ordered by the trial court was reasonable.

****Court's Decision:****

The Supreme Court sided with Lourdes Ramirez-Cuaderno, holding that the Court of Appeals had erred in reversing the decision of the Juvenile and Domestic Relations Court. The Supreme Court emphasized that marriage entitles the parties to cohabitation or consortium, basing such a relationship on mutual affection and not on legal or court mandates. The infliction of physical injuries by Angel on Lourdes, leading to their separation, was seen as a valid ground for Lourdes' claim for support.

Furthermore, the Court noted that Angel had already been providing some form of support prior to the case, indicating an acknowledgment of his duty for separate maintenance. Given Angel's employment and Lourdes' lack of income, the Supreme Court found the monthly support of P150.00 fixed by the trial court to be reasonable. The Court decreed that the

separation, caused by Angel's actions, would subsist until a change in circumstances between the parties occurred.

****Doctrine:****

Courts should be cautious in acknowledging de facto separation and granting separate maintenance in the interest of the institution of marriage. However, the sanctity and essence of marriage are rooted in mutual affection, not in coercion or legal directives. The responsibility of support exists if one spouse is found accountable for the separation, particularly when the separation is the result of maltreatment.

****Class Notes:****

- Marriage involves rights to cohabitation and consortium, driven by mutual affection rather than legal compulsion.
- In cases of separation due to maltreatment, the spouse at fault may be obliged to provide support.
- Court's primary consideration in cases of marital discord involving claims for support includes the welfare of the aggrieved party and the preservation of marital union principles, unless impracticable.
- Legal provisions related to familial support must balance societal interests in marital sanctity and the individual rights of spouses to safety and maintenance.

****Historical Background:****

This case reflects the Philippine legal system's approach to marital disputes and the doctrine of support amongst spouses. It underscores a cautious judicial attitude towards encouraging separation while also recognizing the necessity to provide for an aggrieved spouse's welfare in cases of maltreatment. The ruling illustrates the evolving legal norms surrounding family law in the Philippines, highlighting the balance between preserving family unity and protecting individuals' rights within marriage.