

****Title:****

Cresencio Arrieta v. Melania T. Arrieta, G.R. No. 843 Phil. 488 (2016)

****Facts:****

Cresencio Arrieta (Cris) and Melania T. Arrieta (Melania) were married in a civil ceremony in August 1973 and later a church ceremony in January 1974. In November 1991, Melania left for the United States alleging irreconcilable differences. In 1992, she obtained a divorce decree and subsequently married Zenon Parnawski (Zen).

On January 22, 2001, Cris filed a petition with the Regional Trial Court (RTC) of Davao City for the declaration of nullity of his marriage with Melania under Article 36 of the Family Code, claiming Melania's psychological incapacity as evidenced by her abandonment and refusal to support the family. Due to Melania residing abroad, Cris filed a motion on May 21, 2001, for the issuance of summons by publication. The RTC granted this on January 21, 2002. Summons and a copy of the petition were published in the San Pedro Express, but Melania did not respond.

On October 7, 2004, the RTC granted the petition, declaring the marriage void ab initio. The decision became final on December 3, 2004, and a Certificate of Finality was issued on February 21, 2005.

Melania filed for annulment of the RTC judgment on February 13, 2012, with the Court of Appeals (CA), citing lack of jurisdiction and extrinsic fraud. The CA, in a decision dated July 22, 2016, annulled the RTC decision on grounds of denial of due process due to improper service of summons. Cris's motion for reconsideration was denied, prompting him to elevate the matter to the Supreme Court.

****Issues:****

1. Whether the CA erred in granting Melania's petition for annulment of judgment based on denial of due process due to defective service of summons.
2. Whether Melania's petition for annulment of judgment is barred by estoppel due to laches.

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

1. ****Defective Service of Summons****: The Supreme Court held that the RTC's order for summons by publication qualified under the third mode ("in any other manner the court may deem sufficient") of extraterritorial service under Section 15, Rule 14. The RTC did not require additional service by registered mail to Melania's last known address, which was

procedurally sufficient given the circumstances. The judgment presumes regularity in the court's orders unless proven otherwise. Melania's claim of denial of due process due to improper summons was invalidated.

2. **Estoppel by Laches**: The Supreme Court emphasized that Melania was barred from filing the petition for annulment due to estoppel by laches. Given the prolonged period (over seven years) before she questioned the RTC decision and her ongoing actions (e.g., obtaining a divorce, remarrying), coupled with Cris informing her about the annulment plans, she could not reasonably claim ignorance or denial of due process.

The Supreme Court reversed the CA's decision and reinstated the RTC's original ruling declaring the marriage void ab initio.

Doctrine:

1. **Service of Summons in Extraterritorial Cases**: Compliance with Section 15, Rule 14 of the Rules of Court is crucial. Courts have discretion to determine sufficient service methods, and parties must respect court orders unless proven otherwise.
2. **Estoppel by Laches**: Claims and rights must be asserted in a timely manner. Delay or neglect to assert such rights may lead to a presumption of waiver or abandonment, barring subsequent claims.

Class Notes:

- **Extraterritorial Service (Rule 14, Section 15)**: Must be personal service, by publication, or as deemed sufficient by the court.
- **Psychological Incapacity (Article 36, Family Code)**: Grounds for voiding marriage.
- **Due Process in Service of Summons**: Vital for court jurisdiction; adherence to rules implies due process compliance unless proven irregular.
- **Laches**: Neglecting to pursue claims for unreasonable periods may result in legal presumption of waiver preventing assertion of rights later.

Historical Background:

In the context of Philippine jurisprudence, this case underscores the evolving understanding and application of procedural due process in extraterritorial service of summons and the nuanced application of estoppel by laches in family law. It reflects the balance between procedural formalities and substantive fairness, especially in international scenarios where personal service isn't feasible.