

Title: *Rafael E. Maninang and Soledad L. Maninang vs. Court of Appeals, Hon. Ricardo L. Pronove Jr., and Bernardo S. Aseneta*

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Facts

- **May 21, 1977:** Clemencia Aseneta, single, died at age 81 and left a holographic will.
- **June 9, 1977:** Soledad L. Maninang filed a Petition for probate of the Will with the Court of First Instance (CFI) - Branch IV, Quezon City (Sp. Proc. No. Q-23304).
- **July 25, 1977:** Bernardo Aseneta (the adopted son who claims to be the sole heir) filed intestate proceedings with CFI-Branch XI, Pasig, Rizal (Sp. Proc. No. 8569).
- **December 23, 1977:** Cases were ordered consolidated before Branch XI under Judge Ricardo L. Pronove Jr.
- **Subsequent Actions:** Bernardo filed a Motion to Dismiss the Testate Case, citing jurisprudence (Neri vs. Akutin; Nuguid vs. Nuguid; Ramos vs. Baldovino) to support that the will was void due to preterition.
- **September 8, 1980:** The lower court dismissed the Testate Case.
- **December 19, 1980:** The lower court denied reconsideration and appointed Bernardo as administrator of the intestate estate.
- **Post-Denial:** Petitioners Rafael and Soledad Maninang filed a Certiorari Petition with the Court of Appeals, contesting the lower court's orders.
- **April 28, 1981:** Court of Appeals denied the Certiorari, stating appeal was the correct remedy. The petitioners failed to appeal.

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Issues

1. **Did the lower court exceed its jurisdiction when it dismissed the Testate Case?*
2. **Is the probate of a will mandatory irrespective of potential issues of intrinsic validity?*
3. **Was the Certiorari Petition filed by Soledad Maninang with the Court of Appeals the correct remedy?*
4. **Does public policy require that a will be probated even if intrinsic issues are apparent?*

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Court's Decision

1. **Jurisdiction:** The Supreme Court ruled that the lower court acted in excess of its jurisdiction by dismissing the Testate Case. The probate process primarily requires examining the extrinsic validity of the will (i.e., capacity of the testator and legal formalities).
2. **Mandatory Probate:** The Court emphasized that the probate of a will is mandatory under the Civil Code. Public policy demands that wills be probated to respect the decedent's disposal rights.
3. **Appropriateness of Certiorari:** The Supreme Court found that Certiorari was the correct remedy. Certiorari can be used when a lower court acts in excess of jurisdiction or with grave abuse of discretion.
4. **Public Policy and Probate:** The Court held that even if practical considerations might raise questions of intrinsic validity, prohibiting probate on this basis would undermine the testamentary process and public policy.

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Doctrine

Mandatory Probate of Wills: No will shall pass either real or personal property unless it is proved and allowed according to the rules of court (Article 838, Civil Code). Probate is mandatory and intrinsic validity is usually considered only post-probate unless compelling practical reasons necessitate an earlier examination.

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Class Notes

- **Key Concepts:**

1. **Probate Process:** Examines only the extrinsic validity (testator's capacity and compliance with legal formalities).
2. **Preterition vs. Disinheritance:**
 - **Preterition:** Omission of compulsory heirs in the will (leads to total annulment of heir institution).
 - **Disinheritance:** Legal deprivation of a forced heir's share for lawful causes.

3. **Certiorari:** Used to correct actions done in excess of jurisdiction by lower courts.

- **Relevant Legal Provisions:**

- **Article 838, Civil Code:** Mandates that no will is effective unless probated.

- **Preterition (Article 854, Civil Code):** Discusses the annulment of heir institution due to omission.

- **Disinheritance (Article 918, Civil Code):** Discusses the limited annulment in cases of ineffective disinheritance.

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Historical Background

The case marks an essential juncture in Philippine succession law, emphasizing the need for judicial adherence to probate requirements and solidifying the separation between extrinsic and intrinsic will validity considerations. This was particularly significant in post-war Philippine jurisprudence, where the application and interpretation of Civil Code provisions were under intense development and scrutiny.

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This brief offers a comprehensive breakdown for understanding this case's impact on Philippine probate law and the broader principle of testamentary succession.