

Title: Rodriguez v. De Borja, et al. (123 Phil. 1275)

Facts:

1. **Death and Initial Actions**:

- Fr. Celestino Rodriguez passed away on February 12, 1963, in Manila.
- On March 4, 1963, Anatolia Pangilinan and Adelaida Jacalan delivered a supposed last will and testament of Fr. Rodriguez to the Court of First Instance (CFI) of Bulacan.

2. **Subsequent Legal Maneuvers**:

- On March 8, 1963, Maria Rodriguez and Antonio Rodriguez, through counsel, sought permission from the Bulacan CFI to examine the will.
- Their petition was withdrawn before the court could act on it.
- On March 12, 1963, Maria Rodriguez and Antonio Rodriguez filed a petition in the CFI of Rizal for settling the intestate estate of Fr. Rodriguez, asserting he was a resident of Paranaque, Rizal, and had no will. They also requested Maria Rodriguez be named as the special administratrix.
- On the same day but later time, Pangilinan and Jacalan filed a petition for probate of the will in the CFI of Bulacan.

3. **Procedural Posture**:

- Movants Angela, Maria, Abelardo, and Antonio Rodriguez filed a motion to dismiss the Bulacan probate proceedings on jurisdictional grounds, arguing that their intestate proceedings in Rizal had precedence.
- The Bulacan CFI denied their motion, contending that the mere time difference of a few hours in filings did not confer precedence. The court also noted the petitioners were aware of the will much earlier and suggested that the Rizal filing was to preclude Bulacan's jurisdiction.
- Petitioners appealed to the Supreme Court via a petition for a writ of certiorari and prohibition.

Issues:

1. **Primary Issue**: Does the CFI of Bulacan have jurisdiction over the probate proceedings despite a later intestate filing with the CFI of Rizal?
2. **Subordinate Issue**: Whether Fr. Celestino Rodriguez's domicile in Rizal negates the Bulacan CFI's jurisdiction over the probate.
3. **Procedural Fairness**: Evaluation of whether the actions of Rodriguez kin were an attempt to manipulate jurisdiction.

Court's Decision:

1. **Jurisdiction Based on Preliminary Actions**:

- The Supreme Court held that the Bulacan CFI's jurisdiction vested upon the delivery of the will on March 4, 1963. While a petition for allowance was later filed, the initial deposit allowed the court to act sua sponte per Section 3, Rule 76.

2. **Effect of Domicile**:

- Addressing Fr. Rodriguez's domicile, the court emphasized that domicile affects venue, not jurisdiction. Even assuming Rizal as his domicile, Bulacan CFI had jurisdiction, reinforced by the existence of Fr. Rodriguez's property in Bulacan.

3. **Relevance of Precedence**:

- Although the intestate petition in Rizal was filed earlier on March 12, the Supreme Court adjudged precedence null because the probate-related actions in Bulacan initiated earlier on March 4 had already vested jurisdiction.

Doctrine:

- **Jurisdiction on Will Delivery**: Jurisdiction by a Court of First Instance over probate matters vests upon delivery of a will regardless of subsequent filings, per Section 3, Rule 76 of the Revised Rules of Court.

- **Domicile and Venue**: Domicile influences procedural venue but not the substantive jurisdiction over probate matters, as elucidated by cases such as *In re Kaw Singco and Bernabe v. Vergara*.

Class Notes:

- **Key Concepts**:

- **Jurisdiction vs. Venue**: Jurisdiction is conferred by law uniformly across CFIs, while venue pertains to the procedural aspect.

- **Timing**: Jurisdiction can be determined by initial significant procedural acts, such as deposit of a will.

- **Section 3, Rule 76 of Revised Rules of Court**:

> "When a will is delivered to, or a petition for the allowance of a will is filed in, the court having jurisdiction such court shall fix a time and place for proving the will by all concerned may appear to contest the allowance thereof."

Historical Background:

- **Legal Context**: During the 1960s, the procedural rules governing probate were under

active refinement. This case highlights the tension between procedural finesse and substantive justice, addressing attempts by parties to navigate jurisdictional advantages.

- **Societal Context**: Reflects the importance of clerical figures' estates, showcasing intertwined issues of domicile, intended probates, and the manipulation of procedural rules for perceived advantage.