

IN RE CHARGES OF LILIAN F. VILLASANTA FOR IMMORALITY, VS. HILARION M. PERALTA, RESPONDENT.

Administrative Case. April 30, 1957

Ponente: PARAS, C.J.

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PARAS, C.J.:

G.R. No. L-9513 has a direct bearing on the present complaint. Said case originated from a criminal action filed in the Court of First Instance of Cagayan by the complainant against the respondent for a violation of Article 350 of the Revised Penal Code of which the respondent was found guilty. The verdict, when appealed to the Court of Appeals, was affirmed. The appeal by certiorari taken to this Court by the respondent was dismissed for lack of merit.

The complaint seeks to disqualify the respondent, a 1954 successful bar candidate, from being admitted to the bar. The basic facts are the same as those found by the Court of Appeals, to wit: On April 16, 1939, the respondent was married to Rizalina E. Valdez in Rizal, Nueva Ecija. On or before March 8, 1951, he courted the complainant who fell in love with him. To have carnal knowledge of her, the respondent procured the preparation of a fake marriage contract which was then a blank document. He made her sign it on March 8, 1951. A week after, the document was brought back by the respondent to the complainant, signed by the Justice of the Peace and the Civil Registrar of San Manuel, Tarlac, and by two witnesses. Since then the complainant and the respondent lived together as husband and wife. Sometime later, the complainant insisted on a religious ratification of their marriage and on July 7, 1951, the corresponding ceremony was performed in Aparri by the parish priest of said municipality. The priest no longer required the production of a marriage license because of the civil marriage contract shown to him. After the ceremony in Aparri, the couple returned to Manila as husband and wife and lived with some friends. The complainant then discovered that the respondent was previously married to someone else; whereupon, she filed the criminal action for a violation of Article 350 of the Revised Penal Code in the Court of First Instance of Cagayan and the present complaint for immorality in this court.

Upon consideration of the records of G.R. No. L-9513 and the complaint, this Court is of the opinion that the respondent is immoral. He made a mockery of marriage which is a sacred institution demanding respect and dignity. His conviction in the criminal case involves moral turpitude. The act of respondent in contracting the second marriage (even his act in making-love to another woman while his first wife is still alive and their marriage still valid and existing) is contrary to honesty, justice, decency and morality.

Thus lacking the good moral character required by the Rules of Court, the respondent is hereby declared disqualified from being admitted to the bar. So ordered.

Bengzon, Padilla, Montemayor, Reyes, A., Bautista Angelo, Labrador, Conception, Endencia, and Felix JJ., concur.

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