

IN THE MATTER OF THE PETITION FOR NATURALIZATION AS CITIZEN OF THE PHILIPPINES. VIRGILIO LIM TAN ALIAS BOYBAC, PETITIONER AND APPELLANT, VS. REPUBLIC OF THE PHILIPPINES, OPPOSIT...

G.R. No. L-22192. April 30, 1966

Ponente: BENGZON, J.P., J.

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BENGZON, J.P., J.:

On November 11, 1962 Virgilio Lim Tan alias Boybac filed a petition for naturalization in the Court of First Instance of Negros Occidental. After publication and hearing, the same was denied by the aforementioned court in its decision of September 3, 1963. From said decision petitioner has appealed.

According to the Court a quo, petitioner failed to satisfactorily prove that (1) he believed in the principles underlying the Philippine Constitution; (2) he has shown a sincere desire to embrace Philippine customs, traditions and ideals; (3) he has a lucrative income; and (4) he is morally irreproachable.

Appellee, Republic of the Philippines, further asserts in its brief that there was failure to mention in the petition applicant's former places of residence, as required by the Revised Naturalization Law.

The point raised by appellee is well taken. In his petition for naturalization appellant stated but one place of residence, namely, Toboso, Negros Occidental, alleging that he has continuously resided therein "for a term of twenty-two years to the present time."

The record, particularly applicant's own testimony, however shows that he received his first year secondary education in Silliman University at Dumaguete City and his first and second years college education in the University of San Carlos, Cebu City. During such time, therefore, appellant must have resided in a place other than that mentioned in his petition as his residence. Such other place or places of residence, temporary or otherwise, must also be specified in the petition for naturalization, as required by Section 7 of the Revised Naturalization Law. Failure to do so is fatal to the application, regardless of whether the places not mentioned in the petition are later supplied by the evidence (*Lo vs. Republic*, 111 Phil. 1036; *Qua vs. Republic*, L-19834, October 27, 1964).

Petitioner, furthermore, is allegedly employed by a partnership where his father is one of the two partners. In his testimony, petitioner stated that he is not related to his father's partner, Tan Pong (Tsn., p. 3, Amago). Petitioner's own character witness, Victor Bedonia, however testified that said partner is the brother of petitioner's father and, hence, petitioner's uncle (Tsn., p. 37, Amago). Accordingly, the court a quo rightly doubted petitioner's good moral character. A false statement by the petitioner shows lack of irreproachable conduct required by law for naturalization (*Justa Tan vs. Republic*, 117 Phil. 533).

No further need therefore obtains for us to pass upon the other points raised by appellant.

Wherefore, the decision appealed from denying the petition for naturalization is hereby affirmed, with costs against appellant. So ordered.

Bengzon, C.J., Bautista Angelo, Concepcion, Reyes, J.B.L., Barrera, Dizon, Regala, Makalintal, and Sanchez, JJ., concur.

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