

IN THE MATTER OF THE PETITION OF JOSE MARIA CARLOS TARRAGA BULL ZABALETA TO BE ADMITTED A CITIZEN OF THE PHILIPPINES. JOSE MARIA CARLOS TARRAGA BULL ZABALETA, PETITIONER-APPELL...

G.R. No. L-25401. June 30, 1969

Ponente: CAPISTRANO, J.

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CAPISTRANO, J.:

Appeal by the Republic from the decision of the Court of First Instance of Negros Occidental in Civil Case No.276 granting the petition of Jose Maria Carlos Tarraga Bull Za-baleta, a citizen of Spain, to be admitted a citizen of the Philippines.

We are of the opinion that the lower court erred in granting the petition in view of the fact that the petition was fatally defective in that it failed to comply with the requirement in Section 7 of the Revised Naturalization Law that the petitioner should state in his petition his "present and former places of residence." Petitioner alleged in his petition "that his present place of residence is San Carlos City, Philippines, having stayed in said place since his transfer two years ago from Manila, his former place of residence." In the following cases the petition was held fatally defective because it did not state the present and all the former places of residence of the petitioner even though in the same city: *Chi vs. Republic*, L-18207, June 20, 1966, where the petition alleged that petitioner's present place of residence was at 1028-G Benavides St., Manila, but failed to state that he had formerly resided at 1078 Padre Algue St., Manila; *Wayne Chang vs. Republic*, L-20713, April 29, 1966, where the petition alleged that petitioner resided at 270 P. Casal St., San Miguel, Manila, but failed to state that he had also resided at 1242-A Abreu St., 1950 Arellano St., 747 Padilla St. and 242 P. Casal St., Manila; *Go vs. Republic*, L-20558, March 31, 1965, where the petition alleged that petitioner's former place of residence was at 465 Tanduy St., Manila, but failed to state that petitioner had also resided at 250 T. Pinpin St., Manila; *Gaw Ching vs. Republic*, L-19419, September 30, 1964, where the petition alleged that petitioner's present place of residence was at 599 Asuncion St., Manila, but omitted mention of the fact that petitioner had also resided at 512 Asuncion St., Manila; and *Ngo vs. Republic*, L-18319, May 31, 1963, where the petition alleged that petitioner resided at 505 Magdalena St., Manila, but failed to state that petitioner had previously resided at 528 T. Pinpin St. and Magdalena St., Manila. In these cases it was also held, in effect, that the failure of the petition to give specific addresses of the present and former places of residence of the petitioner even if in the same city did not confer jurisdiction upon the court.

In the case of *Koa Heng vs. Republic*, L-21079, February 28, 1966, this Court said:

"* * * It is settled that failure of the petitioner to specify in his petition all the different places of his residence in this country, as required by Section 7 of the Revised Naturalization Law, is a serious flaw which results in the denial of his petition for naturalization. The reason behind the requirement is to facilitate the checking on the different activities of petitioner bearing on his petition for naturalization, especially as to his qualifications and moral character, either by private individuals or government agencies, by indicating to them

the localities or places in which to make appropriate inquiries or investigations. * * *."

To the same effect did this Court hold in *Cheng vs. Republic*, L-20013, March 30, 1965; *Ng vs. Republic*, L-19646, May 31, 1965; *Yu Ti vs. Republic*, L-19913, June 23, 1965; *Chan Kiat Huat vs. Republic*, L-19579, February 28, 1966; and *Dy vs. Republic*, L-20152, February 28, 1966.

We hereby expressly rule that the requirement in Section 7 of the Revised Naturalization Law that the petitioner shall state in his petition his "present and former places of residence" means that in a city or town where the streets have names and the buildings are numbered, the petition must state the present place of residence of petitioner by giving the name of the street and the number of the building thereon, and his former places of residence, by giving the names of all the streets and the numbers of all the buildings thereon where he had resided. In case of towns or barrios where streets have names but the buildings thereon are not numbered, the present residence of petitioner shall be stated by giving the name of the street and the location thereon of the building where he is residing; and his former places of residence shall be stated by giving the names of all the streets and the locations thereon of all the buildings where he had resided.

Having reached the conclusion that the judgment of the lower court should be reversed on the ground that the petition was fatally defective, we deem it unnecessary to take up other apparent grounds for reversal.

PREMISES CONSIDERED, the judgment appealed from is reversed and the instant petition for naturalization is denied. Without special pronouncement as to costs.

Concepcion, C.J., Reyes, J.B.L., Makalintal, Zaldivar, Sanchez, Ruiz Castro, Fernando, Teehankee, and Barredo, JJ., concur.

Dizon, J., did not take part.

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