

RE: PETITION OF TEH SAN ALIAS LEOVIGILDO TEH SAN TO BE ADMITTED A CITIZEN OF THE PHILIPPINES, TEH SAN ALIAS LEOVIGILDO TEH SAN, PETITIONER-APPELLEE, VS. REPUBLIC OF THE PHILIPPI...

G.R. No. L-22943. May 27, 1968

Ponente: SANCHEZ, J.

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SANCHEZ, J.:

Petitioner was declared eligible to Philippine citizenship by judgment below dated April 19, 1962.[1] The State appealed.

For one reason alone, the judgment must be reversed.

Petitioner does not have the required lucrative income. Income "is to be reckoned as of the time of the filing of the application." [2] The petition avers that petitioner had an average annual income of P4,000. His income tax return for the year 1959 filed on March 1, 1960, shows a gross income of P2,405.54 and a net income of P1,652.44. His 1960 income tax return reveals a gross income of P3,511.93 and a net income of P3,195.83. His petition was filed on September 3, 1960. But he had to support himself, a wife, and six children. Citation of authorities is unnecessary to show that this income does not measure up to the requirement of lucrative income.

FOR THE REASONS GIVEN, the judgment under review is reversed, and the petition for naturalization herein is denied.

Costs against petitioner.

SO ORDERED.

Concepcion, C.J., Reyes, J.B.L., Dizon, Makalintal, Zaldivar, Castro, and Angeles, JJ., concur.

[1] Naturalization Case 182, Court of First Instance of Quezon, entitled' "In the Matter of the Petition of Teh San alias Leovigildo Teh San To Be Admitted a Citizen of the Philippines, The San alias Leovigildo Teh San, Petitioner."

[2] Choa vs. Republic, L-21738, March 1, 1968.

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