

**IN THE MATTER OF THE PETITION OF YU CHUAN BAPTIZED AS
MACARIO YU CHUAN TO BE ADMITTED A CITIZEN OF THE
PHILIPPINES. YU CHUAN BAPTIZED AS MACARIO YU CHUAN,
PETITIONER-APPELLEE, V...**

G.R. No. L-26706. June 30, 1969

Ponente: FERNANDO, J.

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FERNANDO, J.:

In this appeal from a lower court decision granting a petition for naturalization, there is an insistence on the part of the Republic of the Philippines to an objection raised but not favorably considered by the trial judge, namely the failure of the applicant for citizenship to comply with the statutory requirement to register his seven minor children with the Bureau of Immigration under the Alien Registration Act^[1] during the prescribed statutory period. He failed not once but seven times. Accordingly, he had to pay a fine on each occasion. Nonetheless, the lower court did not look upon such a flaw in his conduct as depriving it of the quality of propriety and irreproachability. We cannot agree with such a conclusion. We sustain the appeal and reverse the lower court.

To the petition for naturalization filed by Yu Chuan, the Republic of the Philippines on July 20, 1965 filed an opposition on the ground that the petitioner, having been administratively fined seven times by the Bureau of Immigration for the late registration of his seven minor children contrary to the Alien Registration Act, cannot be said to have conducted himself in a proper and irreproachable manner during the entire period of his residence in the Philippines.^[2] Such an opposition did not prosper, however, as according to the lower court decision of July 7, 1966 he had satisfactorily explained his failure to register his children on time on the ground that at the time of their birth they were sickly, relying likewise on the doctrine of *Chay Guan Tan v. Republic*,^[3] where such an omission was held as not sufficient to disqualify an applicant for naturalization. This conclusion of the lower court was assailed as error.

Such indeed is the case, for the *Chay Guan Tan* doctrine was abandoned three years later. In *Co v. Republic*,^[4] there was this express pronouncement: "It is contended that petitioner has also failed to comply with this legal requirement for he failed to show that he has complied with his obligation to register his wife and child with the Bureau of Immigration as required by the Alien Registration Act. He has, therefore, failed to conduct himself in a proper and irreproachable manner in his relation with our government." Two years later, in *Chung Hong v. Republic*,^[5] where it was shown that the applicant never registered two of his children and that he was late in registering his other minor children, his conduct was characterized as "fatal to his petition." In a 1965 decision,^[6] there was a reiteration of such a doctrine. We did so again just four months before the decision of the lower court on July 7, 1966. Thus: "Such failure of the petitioner to register his children with the Bureau of Immigration within the first sixty days of every calendar year constitutes a clear violation of the section above-quoted that renders the applicant's conduct far from being proper and irreproachable."^[7]

It would be to overturn the above controlling decisions, there-fore, if we were to sustain the lower court. There is

no reason why we should do so. As a matter of fact, the contrary is precisely indicated for if there is any principle consistently adhered to in this kind of cases, it is that the privilege of Filipino citizenship can be enjoyed only by the deserving. Certainly, an individual who fails to comply with what the law requires hardly belongs to such a category. If prior to the institution of his suit for citizenship, he had already manifested such a far-from-commendable tendency, it is not unreasonable to assume that if mistakenly his application for citizenship were approved, there is not likely to be, by that mere fact alone, a radical change in his conduct and an assurance that thereafter he could be expected to behave in a manner less objectionable.

Hence, his petition for naturalization ought to have failed. The lower court decided otherwise. Its decision cannot command our assent.

WHEREFORE, the lower court decision of July 7, 1966 granting the petition for naturalization of Yu Chuan is reversed. With costs against petitioner Yu Chuan.

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

Dizon and Barredo, JJ., did not take part.

[1] Republic Act No. 562, Section 10 (1950).

[2] Record on Appeal, pp. 8 and 9. Another ground of the opposition was that the character witnesses of petitioner could not have testified on his conduct during the entire period of his residence in the Philippines, having come to know him eleven years after his arrival in this country.

[3] 101 Phil. 164 (1957).

[4] L-12150, May 26, 1960.

[5] 6 SCRA 678 (1962). Cf. *Lu v. Republic*, 9 SCRA 567 (1963).

[6] *Cana v. Republic*, L-20915, November 27, 1965.

[7] *Lim Guan v. Republic*, 16 SCRA 111 (1966). Cf. *Koa Heng v. Republic*, L-21079, February 28, 1966.

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