

**IN THE MATTER OF THE PETITION OF TAN TIAN TO BE ADMITTED A
CITIZEN OF THE PHILIPPINES TAN TIAN, PETITIONER-APPELLEE,
VS. REPUBLIC OF THE PHILIPPINES, OPPOSITOR-APPELLANT.***G.R. No. L-19899. March 18, 1967*

Ponente: CONCEPCION, C.J.

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Appeal, by the Solicitor General, from a decision of the Court of First Instance of Ilocos Sur, declaring appellee Tan Tian entitled to acquire Philippine citizenship upon fulfillment of the requirements of Republic Act No. 530. Said decision is assailed upon the ground: (1) that appellee has not stated in his petition his former places of residence; (2) that he has not evinced a sincere desire to embrace the customs, traditions and ideals of the Filipinos; and (3) that he does not have a lucrative trade, profession or occupation.

It appears that the only place of residence mentioned in appellee's application for naturalization is Candon, Ilocos Sur, his present residence. He did not state any of his former places of residence, although he, evidently, re-sided elsewhere in the Philippines, before 1946, when his domicile in Candon was established. Indeed, his marriage certificate shows that he resided in Tubao, La Union, at the time of his wedding, on August 20, 1940. Again, his daughter Maria was born in Bauguen, Ilocos Sur, while his children, Mariano and Manuel, were born in Panangaan, Mountain Province. What is more, he must have, also, resided, for a while, in Manila, for when he came to the Philippines from China, in 1927, he disembarked in the port of Manila. Failure to allege in the application his former places of residence has repeatedly been held fatal thereto.[1]

Moreover, four of appellee's children, namely, Fredy, Jose, Loreto and Chita, are enrolled at the Ilocos Sur Chinese School, in Candon; whereas, two other children, namely, Oscar and Nena, are studying in the La Union Chinese School, in San Fernando, La Union, and his eldest daughter, Maria, had finished her secondary course at the Chiang Kai Shek High School, in Manila. It is well settled that such enrollment in Chinese schools, the bulk of whose students are Chinese, for whom the institutions are primarily intended, negates a sincere desire to embrace the customs, traditions, and ideals of the Filipino people.[2]

Lastly, although petitioner testified that he is a duly licensed tobacco dealer and owns the Kian Huat Bazaar in Candon, Ilocos Sur, and that his total assets amount to P75,000.00, and his gross receipts for 1960 aggregated P464,-358.88, his income tax returns for 1958, 1959 and 1960 disclose that his net incomes for these years were P10,510.54, P9,922.37 and P8,774.20, respectively. Considering that appellee has eleven (11) children, nine of whom are schooling, his aforementioned income can hardly be considered lucrative in view of the high and increasing cost of living in the Philippines.[3]

WHEREFORE, the decision appealed from should be, as it is hereby reversed, and another one shall be entered dismissing appellee's petition for naturalization, with costs against him.

IT IS SO ORDERED.

Concepcion C.J., Reyes, Dizon, Regala, Makalintal, Bengzon, Zaldivar, Sanchez, and Castro, JJ., concur.

[1] Ong Tai vs. Republic, G.R. No. L-19418, December 23, 1964; Go vs. Republic, G.R. No. L-20558, March 21, 1965; Lee Ng Lea vs. Re-public, G.R. No. L-20151, March 31, 1965; Tan Nga Kok vs. Republic, G.R. No. L-16767, June 30, 1965; Yu An Kiong vs. Republic, G.R. No. L-21333, Jan. 31, 1966; Koa Heng vs. Republic, G.R. No. L-21079, February 28, 1966 and Tan vs. Republic, G.R. No. L-22207, May 30, 1966.

[2] Li Tong Pek vs. Republic, G.R. No. L-20912, November 29, 1965; Chan Kiat Huat vs. Republic, G.R. No. L-19479, February 28, 1966 and Lim Yuen vs. Republic, G.R. No. L-21218, December 24, 1965.

[3] Tan King Book vs. Republic, G.R. No. L-20712, February 28, 1966; Chan Kiat Huat vs. Republic, G.R. No. L-19479, February 28, 1966; Ong Tai vs. Republic, G.R. No. L-19418, December 23, 1964.

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