

IN THE MATTER OF THE PETITION OF SY SUAN TO BE ADMITTED A CITIZEN OF THE PHILIPPINES, SY SUAN, PETITIONER-APPELLEE, VS. REPUBLIC OF THE PHILIPPINES, OPPOSITOR-APPELLANT.

G.R. No. L-23470. February 28, 1969

Ponente: CONCEPCION, C.J.

Read online (full-text search, related cases, audio case brief): <https://batas.org/library/89ccfa516be9/>

CONCEPCION, C.J.:

The Solicitor General seeks the review of a decision of the Court of First Instance of Rizal finding "that petitioner Sy Suan is qualified to be admitted a citizen of the Republic of the Philippines." Appellant maintains that the decision appealed from should be re-versed because:

- (1) the lower court assumed jurisdiction over the case des-pite the fact that: (a) petitioner had not filed the requisite declara-tion of intention to become a citizen of the Philippines, although he is not exempt therefrom, and (b) his former places of residence were not alleged in the petition; and
- (2) the lower court erred in rendering said decision for: (a) petitioner is not a person of good moral character; (b) he has not conducted himself in a proper and irreproachable manner; (c) he has not evinced a sincere desire to become a citizen of the Philip-pines; (d) he has not enrolled all of his children in public schools or private schools recognized by the Government, during the entire period of his residence in the Philippines; (e) he does not have a lucrative trade, profession or occupation; and (f) his witnesses are not credible persons.

As regards the first assignment of error, it appears that in his application for naturalization, filed on September 4, 1958, petitioner alleged that his "present place of residence is No. 68-C Arellano St., Malabon, Rizal, Philippines," and that his "former residence was 744 Magdalena Street, Manila." He testified, however, that, upon his arrival in the Philippines, in 1923, he resided with his father at T. Pinpin Street, Manila; that in 1933, he moved to Tetuan Street; and that, in 1936, he established his residence at Platerias Street, Quiapo, where he stayed up to 1941. We have repeatedly held that failure to state in a petition for naturalization all of petitioner's former places of residence, constitutes a violation of Section 7 of Commonwealth Act No. 473,[1] which is fatal to the jurisdiction of the Court to hear and grant said petition.[2]

With respect to the second assignment of error, the record shows that:

- (a) On September 26, 1952, petitioner was administratively fined by the Bureau of Immigration for late registration of his child, Julie Sy Suan, born on July 31, of the same year. This notwithstand-ing, he did not cause his son, Henry Sy Suan, born on February 12, 1945, to be registered until November 23, 1959, or more than 14 years later and over a year after the filing of the petition herein and, seemingly, to avoid obstacles thereto, for which reason he was, once again, fined administratively. Assuming that the late registration of his daughter Julie in 1952 had been due either to ignorance of his obligation to register her or to oversight on his part, the discipli-nary action taken against him at that time should have been "more than sufficient warning for him" - in the language used in *Cu vs. Republic*[3] - of his duty to register his son Henry, born much earlier. Petitioner's failure to do so until over seven years later reveals - as stated in said case - his "little respect for our laws." Under

comparable circumstances, we held in the Cu case that failure of an alien to comply with the Alien Registration Act proves that he has not conducted himself in an irreproachable manner.

(b) Petitioner's income from 1957 to 1959 was P9,600.00 a year. Considering that petitioner has a wife and eleven (11) children, four (4) of whom were in college, one (1) in high school and three (3) in grade school, he can not be regarded as having a lucrative trade, profession or occupation. Such was the view taken by this Court in *Keng Giok vs. Republic*,^[4] involving an applicant for naturalization who had a wife and five (5) children of school age actually attend-ing school and a yearly income of P8,656.50.

(c) At least one of petitioner's attesting witnesses, namely, Mrs. Carmen Pavon Albar, did not know him sufficiently to vouch for his possession of the requisite qualifications, such, for instance, as whether or not he believes in the principles underlying our Consti-tution, thereby being short of one of the requirements of Section 7 of Commonwealth Act No. 473, above referred to.

The Solicitor General, likewise, points out a number of other factors bolstering up the theory that petitioner is not exempt from the duty to file a declaration of intention to apply for naturalization, and that he has not evinced a sincere desire to embrace the customs, traditions and ideals of the Filipinos, but we deem it unnecessary to discuss these points inasmuch as those already adverted to suffice to warrant rejection of petitioner's application for naturalization.

WHEREFORE, the decision appealed from should be, as it is hereby reversed, and the petition for naturalization in this case, accordingly, denied, with costs against petitioner-appellee, Sy Suan.

IT IS SO ORDERED.

Reyes, J.B.L., Dizon, Makalintal, Zaldivar, Castro, Fernando, Capistrano, Teehankee, and Barredo, JJ., concur. Sanchez, J., did not take part.

[1] "Petition for citizenship. - Any person desiring to acquire Philippine citizenship shall file with the competent court, a petition in triplicate, accompanied by two photographs of the petitioner, set-ting forth his name and surname; his present and former places of residence; his occupation; the place and date of his birth; whether single or married and the father of children, the name, age, birth-place and residence of the wife and of each of the children; x x x."

[2] *Lo vs. Republic*, G.R. No. L-15919, May 19, 1961; *Keng Giok vs. Republic*, G.R. No. L-13347, Aug. 31, 1961; *Koa Gui vs. Republic*, G.R. No. L-13717, July 31, 1962; *Yao Long vs. Republic*, G.R. No. L-20910, Nov. 27, 1965; *Chan Kiat Huat vs. Republic*, G.R. No. L-19579, Feb. 28, 1966; *Tan Tian vs. Republic*, G.R. No. L-19899, March 18, 1967.

[3] G.R. No. L-16073, March 28, 1961.

[4] *supra*

ABOUT BATAS.ORG

Study smarter at BATAS.org

The Philippine bar review and law-school companion built around how your brain actually remembers.

The complete Philippine law library - free for everyone.

More than 100,000 Supreme Court decisions, Republic Acts, and executive issuances - full-text searchable, browsable by category and year, and always free. No paywall, no login. This PDF came from it.

Audio case-brief lectures.

Any decision becomes a podcast-style lecture - facts, issues, ruling, and doctrine - with read-along highlighting and a hands-free presentation mode. Study while commuting, working out, or resting your eyes.

Bar review built on the science of memory.

Complete, sequenced courses for all eight bar subjects, narrated like podcasts and reinforced with retrieval practice and spaced review - the study techniques with the strongest evidence behind them.

The full law-school curriculum.

One subscription unlocks the entire J.D. curriculum - every subject, every lesson, with your progress tracked down to the paragraph so you can pick up exactly where you left off, on any device.

Mock exams that tell you where you stand.

Timed multiple-choice exams graded instantly, with per-subject score breakdowns and focus suggestions that point you at your weakest topics first.

A study planner that keeps you on pace.

Set your schedule and BATAS tells you every day whether you are on track for bar day - and exactly which lesson to take next.

Start free at <https://batas.org>

The law library is free forever - and your first lesson is one click away.

The text of this document is an official public record and remains in the public domain. Formatting, presentation, and compilation © 2026 batas.org.

Downloaded free from the batas.org Law Library. Share it freely - the library is free for every law student, bar reviewee, and practitioner.