

IN THE MATTER OF THE PETITION FOR ADMISSION TO PHILIPPINE CITIZENSHIP. AGUEDA GO (SHIOK KING JO), PETITIONER AND APPELLEE, VS. REPUBLIC OF THE PHILIPPINES, OPPOSITOR AND APPELLANT.

G.R. No. L-21895. April 29, 1966

Ponente: BENGZON, J.P., J.

Read online (full-text search, related cases, audio case brief): <https://batas.org/library/9de6b0839881/>

BENGZON, J.P., J.:

On August 29, 1961 Agueda Go (Siok King Jo) filed a petition for naturalization in the Court of First Instance of Southern Leyte, stating in the second paragraph thereof:

"Second.—My present place of residence is Rizal Avenue street, Municipality of Malitbog, Province of Southern Leyte and my former residence, none, continuously residing in Malitbog."

On March 6, 1962 the Solicitor General opposed her petition on the ground that she did not state all her previous places of residence as required in Section 7 of Commonwealth Act 473. Petitioner's Immigration Certificate of Registration dated April 29, 1953 stated that she resided at No. 21 4 Manalili St., Cebu City.

On May 11, 1962 the trial court granted the aforementioned petition. The Solicitor General's opposition was considered unwarranted on the ground that petitioner's stay in Baybay, Leyte and Cebu City during her studies was merely temporary. The Republic thereupon appealed.

After filing eight (8) petitions for extension of time within which to file appellant's brief, all of which were granted by this Court, the Solicitor General filed on May 8, 1964 a motion to withdraw appeal. On May 18, 1964 we denied said motion and considered the same as appellant's brief.

Agueda Go was born on February 5, 1939 of Chinese parents in Malitbog, Southern Leyte. At the age of 7 years she was sent to Baybay, Leyte to study in first grade primary. The next year she entered the Cebu Chinese High School at Cebu City where she finished her elementary and secondary education. She then enrolled at the University of Southern Philippines, Cebu City, for her first year collegiate course. While in Cebu City she resided at No. 214 Manalili St., but went home to Malitbog, Southern Leyte, during the summer vacation every year.

The point at issue is whether or not the omission of petitioner's places of residence in Baybay, Leyte and Cebu City from her petition is fatal thereto.

This question is not new, for in a long line of cases we have held that an applicant should state in his petition for naturalization all his previous places of residence, temporary or permanent, as required in Section 7 of Commonwealth Act 473.[1] Failure to do so will result in the denial of such a petition. The purpose of the law is to give the public and the investigating agencies of the government an opportunity to gather information and to express objections relative to the petition.[2]

In *Qua vs. Republic*,[3] we said:

"* * * Precisely for this reason it is important that petitioner's actual, physical residence be likewise set forth and published, since information regarding petitioner and objection to his application are apt to be provided by people in his actual, physical surrounding."

Hence, a residence though temporary—such as petitioner's temporary residence during her studies in Cebu City—ought to be stated in the petition. Section 7 of Commonwealth Act 473 speaks of "present and former places of residence" without specifying actual or legal residence.

We find no special circumstances or reason in the instant case to depart from our said previous rulings.

And lest it be overlooked, we express our disappointment over the filing of the petition signed by Assistant Solicitor General Antonio A. Torres and Solicitor Rafael P. Cañiza of the Office of the Solicitor General to withdraw the appeal despite the repeated stand of said office and our holdings sustaining it, that omission from the petition for naturalization of the applicant's previous places of residence is fatal.

If said motion had been granted by this Court, the decision appealed from would have become final resulting in the grant of Philippine citizenship to an alien who may not be naturalized on the basis of her own petition.

It bears stressing that the laxity of the legal arm of our government in this case is liable to provide a fertile occasion for graft and corruption and create an ideal ground upon which pressures, political or otherwise, can be exerted. It may even tend to permit non-observance of laws, such as the Revised Naturalization Law, as would have resulted had the motion to withdraw appeal been granted in this case.

Speaking through Mr. Justice Concepcion, this Court in a recent case^[4] said:

"Thus, several parties had, through the action and the omissions of the judicial branch of the government, succeeded, not only in evading the law, but, also, in preventing the executive department from executing and enforcing the same, for over two (2) years. Surely, more caution should be exercised to avoid such occurrence, if we hope to keep the faith of the people in the courts of justice."

A similar want of caution on the part of government lawyers can indeed produce embarrassing and lamentable situations in which the courts would have to deny a petition for naturalization against the representations of the very office among whose important duties is to guard against the granting of Filipino citizenship to those who do not possess the qualifications required by law.

Wherefore, the decision appealed from is hereby reversed and the petition for naturalization denied. No costs. So ordered.

Bengzon, C.J., Bautista Angelo, Concepcion, Reyes, J.B.L., Barrera, Dizon, Regala, Makalintal, Zaldivar, and Sanchez, JJ., concur.

[1] *Pidelo vs. Republic*, L-7796, September 29, 1955; *Keng Giok vs. Republic*, L-13347, August 31, 1961; *Koa Gui vs. Republic*, L-13717, July 31, 1962; *Ngo vs. Republic*, L-18319, May 31, 1963; *Gaw Ching vs. Republic*, L-19419, September 30, 1964; *Go Bon The vs. Republic*, L-16813, December 27, 1963; *Qua vs. Republic*, L-19834, October 27, 1964; *Ong Tai vs. Republic*, L-19418, December 23, 1964; *Ong Ping Seng vs. Republic*, L-19575, February 26, 1965.

[2] *Qua vs. Republic*, *supra*.

[3] *Supra*, note 1.

[4] *The Chief of the Philippine Constabulary vs. The Judge, Court of First Instance of Rizal*, L-22308, 22343-44,

March 31, 1966.

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.