

**IN THE MATTER OF THE PETITION TO BE ADMITTED A CITIZEN OF
THE PHILIPPINES. MELITON O. GO, PETITIONER AND APPELLANT,
VS. REPUBLIC OF THE PHILIPPINES, OPPOSITOR AND APPELLEE.**

G. R. No. L-20588. March 31, 1965

Ponente: CONCEPCION, J.

Read online (full-text search, related cases, audio case brief): <https://batas.org/library/b875c9971264/>

CONCEPCION, J.:

After due trial, on April 4, 1960, the Court of First Instance of Manila rendered a decision finding that Melitou O. Go has all the qualifications and none of the disqualifications to become a Filipino citizen and accordingly panted his petition for naturalization as such. No appeal appeal been taken from said decision, Go moved on May 29, 1962, that a day be set for the reception of evidence to show compliance by him with the requirements of R.A. No. 530. Thereupon, the Solicitor General moved for the dismissal of said petition, which, despite Go's opposition thereto, was granted. Hence, this appeal by Go.

The order of dismissal appealed from is based upon the ground: a) that appellant's petition is fatally defective and void and the lower court had acquired no jurisdiction to entertain it, he having failed to alleged therein his former places of residence; and b) that the petition, likewise, fails to state that he is, admittedly, known by another name—to wit, Go King Siong—which is very different from that of Meliton O. Go given in the petition.

With respect to the first ground, it is alleged in appellant's petition, dated January 26, 1959, that his address at that time was "No. 489 Romero Salas St., Ermita, Manila," and his former residence "465 Tanduay Street, Manila." However, his immigrant's certificate of residence shows that his residence in 1948 was "250 T. Pinpin, Manila," whereas, according to his witness Cornelio San Diego, appellant had, also, lived at Narra Street, Tondo, before moving to T. Pinpin.

We have, repeatedly, held that failure to allege in the petition for naturalization the "former places of residence" of the petitioner, in violation of the mandatory provision of Section 7 of the Revised Naturalization Law, is a fatal defect that, not only warrants dismissal of the petition,[1] but, also, affects the jurisdiction of the court to hear and decide the case.[2]

Indeed, as stated in *Lo vs. Republic*, 111 Phil., 1036:

"* * * The reason behind such requirement (allegation of former places of residence) is obvious; said facts are required to be stated in the petition in order that, upon its publication, the public as well as the investigating agencies of our government may be given the needed opportunity to be informed thereof and voice their opinion, if any, to the petitioner's desire to become a Filipino citizen. By omitting said facts from the petition the public and said agencies are deprived of such opportunity, thereby defeating the purpose of the law, * * *."

As regards the second ground, appellant argues that Go King Siong is merely his nickname, not an alias. It is obvious, however, that Go King Siong is a full Chinese name, not a nickname. In fact, according to appellant's own testimony, his clearance from the National Bureau of Investigation refers to him as "Meliton O. Go, alias Go

Kim Siong also as Meliton Go" (*italics ours*), and, among his relatives and intimate friends he is, also known as Go Kim Siong. In any event, appellant should have alleged in his petition this fact and his failure to do so effected the proceedings leading to the decision in his favor, which was later revoked or set aside impliedly by the order appealed from.[3]

It is urged, that having become final, no appeal having taken therefrom, said decision is beyond the lower court's power of revocation. It should be noted, however, that the irregularities or defects relied upon in the order appealed from are such as to affect the jurisdiction of said court, and, hence, the validity of said decision. Moreover, the Revised Naturalization Law (Section 18) authorizes the cancellation of a certificate of naturalization obtained fraudulently or illegally. Since, in view of the aforementioned irregularities or defects in appellant's petition it results that the original decision in his favor had been secured illegally, it is obvious that the lower court was fully justified in dismissing the petition—and thus impliedly revoking said decision—instead of ordering the issuance of the corresponding certificate of naturalization, to be cancelled immediately thereafter, upon said ground of illegality.[4]

Wherefore, the order appealed from is hereby affirmed, with the costs of this instance against petitioner-appellant. It is so ordered.

Bengzon, C. J., Bautista Angelo, Reyes, J. B. L., Barren, Paredes, Makalintal, Bengzon, J. P., and Zaldivar, JJ., concur.

Order affirmed.

[1] *Cu vs. Republic*, 89 Phil. 473; *Pidelo vs. Republic*, 97 Phil. 632; *Lo vs. Republic*, 111 Phil., 1036; *Keng Giok vs. Republic*, L-13347, August 31, 1961; *Co vs. Republic*, L-15794, December 29, 1962; *Ngo vs. Republic*, L-18319, May 31, 1963; *Serwani vs. Republic*, L-18219, December 27, 1963; *Dy Pek Long vs. Republic*, L-18758, May 30, 1964.

[2] *Tan Cona vs. Republic*, 107 Phil., 710; *Nr Bui Rui vs. Republic*, 104 Phil. 957; *Ong Son Cui vs. Republic* 101 Phil. 649.

[3] *Yu vs. Republic*, 57 Phil., 807; *Off. Gaz.*, 9024; *Co vs. Republic*, 53 *Off. Gaz.*, 9225; *Kiang vs. Republic*, L-8378, March 23, 1956.

[4] *Republic vs. Go Bon Lee*, L-11499, April 29, 1961; *Ong Ching Guan vs. Republic*, L-15691, March 27, 1961; *Lim Hok Albano vs. Republic*, 104 Phil. 795. See, also, *U.S. vs. Mulvey* N.Y. 1916, 232 F. 513, 146 C.C. A. 471; *Grahl vs. U.S. C.C.A. Wis* 1919, 261 F. 487, affirming *U.S. vs. Kamn*, D.C. 1918, 247 F. 968; *U.S. vs. Loopmans*, D.C.N.Y. 1923, 290 F. 545; *US vs. Khan*, DC Pa. 1924, 1 F. 2d 1006; *U.S. vs. Napulos*, D.C. Iowa, 1915, 225 F. 636.

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.