

IN THE MATTER OF THE PETITION OF TIO TEK CHAI ALIAS SO LIM TO BE ADMITTED A CITIZEN OF THE PHILIPPINES, TIO TEK CHAI ALIAS SO LIM, PETITIONER AND APPELLEE, VS. REPUBLIC OF THE P...

G.R. No. L-19112. October 30, 1964

Ponente: MAKALINTAL, J.

Read online (full-text search, related cases, audio case brief): <https://batas.org/library/c886cd65b085/>

MAKALINTAL, J.:

In a decision dated September 16, 1961 the Court of First Instance of Manila, Branch XIX, granted to Tio Tek Chai's petition for naturalization. The government, through the Solicitor General, interposed the present appeal.

Petitioner was born of Chinese parents in Ching kang, China, on September 16, 1921. He came to the Philippines in 1923 and since then has been residing in Manila. He is married to Francisca Go, by whom he has five children, three of whom were (in 1960) of school age and enrolled in the Philippine Chinese Republican School. There is testimonial evidence, by himself and by his two character witnesses, concerning his qualifications and lack of disqualifications for naturalization.

One of the facts disclosed by such evidence, and now relied upon by appellant as the only ground for urging the denial of the petition, is that sometime in 1956 petitioner was charged with violation of the Price Tag Law (Republic Act No. 71) and upon his plea of guilty was sentenced to pay a fine of P10.00. Petitioner tried to minimize the significance of that conviction as follows: that he was the owner of a bakery, from which he was deriving his income; that one day in 1956 his storekeeper cleaned the showcase in his establishment where different kinds of bread and biscuit were displayed; that the storekeeper failed to replace the price tag pertaining to one of them and a policeman noticed the omission; and that although petitioner was not in the bakery at the time he nevertheless owned the violation, preferring the fine to the trouble of defending himself in a litigation.

There is considerable discussion in the briefs as to whether or not the offense of which petitioner was convicted is one involving moral turpitude. The court below ruled that it is not, and petitioner maintains here the correctness of the ruling. The Solicitor General submits otherwise. We believe the point is of no decisive importance. Conviction of a crime involving moral turpitude is one of the grounds upon which an alien is absolutely disqualified from becoming naturalized as a Filipino citizen, according to Section 4 of the Revised Naturalization Law (Commonwealth Act No. 473, as amended). However, it is not enough that an applicant be not disqualified under said provision, it is also required that he be possessed of the qualifications enumerated in Section 2. And among those qualifications is that he must have conducted himself in a proper and irreproachable manner during the entire period of his residence in the Philippines in relation with the constituted government as well as with the community in which he is living.

Republic Act No. 71, as amended by Republic Act No. 1084, provides that all articles of commerce and trade offered for sale to the public at retail shall be publicly displayed with appropriate tags or labels to indicate the price of each article and that said articles shall be sold uniformly and without discrimination at the stated prices.

The absence of price tags could obviously serve as means to facilitate profiteering; and the law enacted precisely to protect the buying public therefrom. Violation of this law by petitioner certainly renders his conduct anything but that he pleaded guilty simply to avoid a troublesome court proceeding deserves little credence; and if true at all betrays a lack of faith in the administration of justice in this country that is unseemly in one desiring to become a citizen.

Other facts in the record, although not pointed out in the brief for appellant, have engaged our attention. Besides the violation of the Price Tag Law, petitioner was, in two different cases, fined P10.00 for violation of a sanitation ordinance and P5.00 for illegal construction. And with respect to petitioner's income, it appears to be only about P5,000.00 in 1959 (the year preceding the filing of the application), derived from the bakery he owned. This amount is insufficient for purposes of naturalization, considering that petitioner has a wife and five children to support. While these facts have not been cited by appellant, this Court may consider them, since upon appeal in a naturalization case the entire record is open for consideration (*Kwan Kwock How vs. Republic*, L-18521, Jan. 30, 1964).

The judgment appealed from is reversed, and the petition is denied, with costs.

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

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.