

**IN THE MATTER OF THE PETITION FOR PHILIPPINE CITIZENSHIP.  
TAN SEN ALIAS CAYETANO TAN ALIAS CAYETANO TAN PAO HO  
ALIAS TAN PAO HU, PETITIONER-APPELLEE, VS. REPUBLIC OF THE  
PHILIP...**

*G.R. No. L-23181. October 24, 1967*

Ponente: MAKALINTAL, J.

Read online (full-text search, related cases, audio case brief): <https://batas.org/library/e2117f4554f8/>

---

**MAKALINTAL, J.:**

Appeal by the Solicitor General from the decision of the Court of First Instance of Misamis Occidental (Case No. 109) granting appellee's petition for naturalization. Petitioner-appellee submitted the case without filing any brief in reply to that of appellant.

Petitioner is a native of China, born on February 5, 1919 at Lamua, Amoy. He arrived in the Philippines on August 1, 1931 on board the vessel "Ang Kin", and since then did not leave the country up to the time he filed his petition. He is married to Sy Sen alias Sima, likewise a Chinese citizen, by whom he has three children, namely, Lilia, Betty and Wayne, the first two being enrolled at the Misamis Chinese High School and the third at the Immaculate Concepcion College. At the time of the hearing petitioner and his family were residing at Sinacaban, Misamis Occidental, where he was engaged in the business of buying and selling copra. According to his petition filed August 9, 1961, his average annual net income was more than P4,000. During the hearing he testified in English and spoke and wrote a few sentences in the Visayan dialect. Two witnesses, Jose Contreras and Telesforo Simbajon, vouched for the good moral character of the petitioner.

The Solicitor General submits that the lower court erred: (1) in not finding that the notice and publication requirements of the law were not complied with; (2) in not finding that petitioner has no lucrative income; and (3) in not finding that petitioner has not conducted himself in a proper and irreproachable manner, because of his use of aliases without judicial authority.

On the first point, the question is whether the newspaper "Nueva Era" was of general circulation in the province of Misamis Occidental. There is no evidence to this effect other than the affidavit of the publisher that the "Nueva Era" was of general circulation in the Philippines. Such kind of evidence has been held to be insufficient. Thus in the case of Tan Ten Koc vs. Republic, G.R. No. L-18344, February 28, 1964, this Court said:

"The law requires that the newspaper in which the petition for naturalization is to be published must be of general circulation in the province where petitioner resides. While, in the instant case, there is an affidavit executed by the Editor of the Nueva Era to the effect that the said newspaper is of general circulation in the Philippines, this statement is not sufficient proof that there has been compliance with the law. Positive evidence must be presented to prove that the Nueva Era is of general circulation in Samar, and it is incumbent upon petitioner to present such evidence.

"The purpose of the law in requiring publication of the notice is to inform those officers and the public in general of the filing of such a petition in order that the public officers and private citizens supposed to be

acquainted with the petitioner may furnish the Solicitor General or the provincial fiscal with such necessary information and evidence as there may be against the petitioner (*Anti-Chinese League of the Phil. vs. Alfonso Felix, etc., et al.* G. R. No. L-998, February 20, 1947, 77 Phil. 1012). Considering then that the *Nueva Era* is published in Spanish and not in English or in the dialect of Samar, which are more commonly used in petitioner's province of residence, and that there has been no positive and direct proof that it is generally circulated in said province, the publication made therein may not be taken as having served the objective of the law."

On the issue of petitioner's income, his tax return for 1961 shows a net amount of P3,037.44, derived as his salary from Ramon Tan Kee Tu & Co., and as profit from Lim's Sing Rice Mill in Zamboanga del Sur. Suprisingly enough, his income from the same sources in 1962 aggregate aver P10,000.00, aside from a bonus of P1,000.00 - something he did not receive the previous year. As pointed out by the Solicitor General, the sudden increase by more than 100% over the previous average gives rise to the suspicion that it was intended to cure the deficiency for purposes of naturalization.

The third point raised by the Solicitor General is even more fatal to petitioner's position. He admits that he uses three aliases, namely: "Cayetano Tan", "Cayetano Pao Hu" and "Tan Pao Hu." In his marriage certificate (Exh. E) petitioner used the name "Tan Pau Hu." The same name appears in the birth certificates (Exhs. F and F-1) of his children Lilia and Wayne, while in that of Betty Tan (Exh. F-2), the name is "Tan Sen". There is no evidence that petitioner has been judicially authorized to use the aliases above mentioned. This is a clear violation of the Anti-Alias Law (Commonwealth Act No. 142), which justifies denial of his application for naturalization (*Ong Hock Lian vs. Republic*, supra; *Wang I Fu vs. Republic*, L-15819, September 29, 1962; *Koa Gui vs. Republic*, supra; *Lim Bun vs. Republic*, L-17317, April 26, 1961; and *Ng Liam Ken; vs. Republic*, L-14146, April 29, 1961).

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

Concepcion, C.J., Reyes, J.B.L., Dizon, Bengzon, J.P., Zaldivar, Sanchez, Castro, Angeles and Fernando, 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.