

IN RE: PETITION FOR NATURALIZATION, LUCIO TAN TIU ALIAS TIU PING SING AND LUCIO TIU IMSONG, PETITIONER-APPELLEE, VS. REPUBLIC OF THE PHILIPPINES, OPPOSITOR-APPELLANT.

G.R. No. L-21558. January 30, 1970

Ponente: SANCHEZ, J.

Read online (full-text search, related cases, audio case brief): <https://batas.org/library/fd2b9c144ffa/>

SANCHEZ, J.:

From a judgment[1] of the Court of First Instance of Surigao del Norte dated December 21, 1961, declaring Lucio Tan Tiu eligible for Philippine citizenship, the State appealed,

For one reason alone, the judgment must be reversed.

Lucio Tan Tiu failed to state in his naturalization petition "his present and former places of residence." [2] That petition' merely avers that he has "resided, continuously in the Philippines, particularly at Numancia, Surigao, since my birth", and that his present place of residence is at Numancia, Surigao.

Applicant however testified that he resided in Dapa, Surigao, since his birth on September 12, 1927 until 1949 when he moved to Numancia, Surigao, [3] a period of 22 years. Moreover, the alien certificates of registration of all his children, born between the years 1951 to 1960, show that they were all born in Cebu City and reside in Dapa, Surigao.

"Residence" encompasses all places where petitioner actually and physically resided, [4] whether permanent or temporary. [5] We have repeatedly said that failure to specify in the petition for naturalization petitioner's present and former places of residence affects the court's jurisdiction "to hear and decide the case." [6] Such defect is fatal. [7]

Judgment reversed. Petition for naturalization denied.

Costs against petitioner-appellee.

SO ORDERED.

Concepcion, C.J., Reyes, J.B.L., Dizon, Makalintal, Zaldivar, Castro, Fernando, Teehankee, and Barredo, JJ., concur.

[1] Naturalization Case 34, entitled "In Re: Petition for Naturalization, Lucio Tan Tiu alias Tiu Ping Sing and Lucio Tiu Imsong."

[2] Section 7, Revised Naturalization Act.

[3] Tr., August 18, 1961, p. 46.

[4] *Burca vs. Republic*, L-24252, January 30, 1967, 19 SCRA 186, 195.

[5] Choa Hai vs. Republic, L-23515, February 27, 1969, 27 SCRA 75, 78, citing cases.

[6] Lim Siong vs. Republic, L-26631, June 20, 1969, 28 SCRA 687, 690, citing cases.

[7] Lim Siong vs. Republic, *supra*, at p. 693; Zabaleta vs. Republic, L-25401, June 30, 1969, 2 SCRA 654, 556, citing cases. See also: Tan Tian vs. Republic, L-19899, March 13, 1967, 19 SCRA 606, 607, citing cases; Sy Suan vs. Republic, L-23470, February 28, 1969, 27 SCRA 132, 183-184; Go Ay Koc vs. Republic, L-23652, April 25, 1969, 27 SCRA 988, 991, citing cases; Chua Lian Yan vs. Republic, L-26416, April 25, 1969, 27 SCRA 1024, 1029.

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.