

IRENEO G. GERONIMO, PETITIONER, VS. COURT OF APPEALS AND ANTONIO ESMAN, RESPONDENTS.

G.R. No. 105540. July 05, 1993

Ponente: DAVIDE, JR., J.

Read online (full-text search, related cases, audio case brief): <https://batas.org/library/g-r-no-105540/>

DAVIDE, JR., J.:

This is an appeal by certiorari under Rule 45 of the Rules of Court from the decision of the Court of Appeals in CA-G.R. CV No. 33850[1] which affirmed the judgment of the Regional Trial Court, Branch 68, Pasig, Metro Manila in Special Proceeding No. 10036 declaring valid the marriage between Graciana Geronimo and Antonio A. Esman and appointing the latter as the administrator of the estate of the deceased Graciana Geronimo.

The findings of fact of the trial court, adopted by the public respondent Court of Appeals, are as follows:

"This will resolve Ireneo Geronimo's petition for letter of administration of the estate of Graciana Geronimo-Esman.

On June 29, 1987, a petition was filed by petitioner naming as one of the heirs oppositor Antonio A. Esman and describing the latter as 'husband of the deceased'. On April 4, 1988, an amended petition was filed by petitioner naming as one of the surviving heirs Antonio A. Esman and now describing the latter as the 'live-in partner of the de-ceased' after finding out that the marriage between oppositor and the decedent was a 'nullity for want of a marriage license'.

It is undisputed that the decedent died on June 2, 1987 without a will leaving no descendants nor ascendants. She was survived by her two brothers Tomas and Ireneo, her nephew Salvador and her husband-oppositor Antonio A. Esman. x x x However, the husband's capacity to inherit and administer the property of the decedent is now being questioned in view of the discovery by the petitioner that the marriage between oppositor and the decedent was celebrated without a marriage license.

The principal issue now which has to be resolved by this Court before it can appoint a judicial administrator is whether or not the marriage between Graciana Geronimo and Antonio A. Esman was valid.

Petitioner contends that the marriage between her (sic) deceased sister and oppositor Antonio A. Esman was null and void since there was no marriage license issued to the parties at the time the marriage was celebrated. In fact, petitioner contends that a certification issued by the Local Civil Registrar of Pateros shows that the marriage license number was not stated in the marriage contract (Exh. "I"); and that the marriage contract itself does now (sic) show the number of the marriage license issued (Exh. "J"). Moreover, marriage license number 5038770 which was issued to the deceased and the oppositor by the Civil Registrar of Pateros, Rizal was not really issued to Pateros before the marriage was celebrated but to Pasig in October 1959.

On the other hand, oppositor contends that the arguments raised by petitioner are mere concoctions; that a close scrutiny of the aforementioned documents (Exhs. "I" and "J") would show that except for the phrases 'not stated' and 'not recorded', the two certified copies of the marriage contract issued by the Civil Registrar of Pateros, Rizal (now Metro Manila) and the Parish Church of San Roque were the same as the certified copy of the marriage contract which was attached to the original petition which named the oppositor as the husband of

the deceased; that petitioner simply asked that these phrases be incorporated to suit his ulterior motive; that even the omission of the marriage license number on the Registry of Marriages in the Local Civil Registrar is not fatal in itself and is not conclusive proof that no marriage license was actually signed on January 7, 1955 to Graciana Geronimo and Antonio A. Esman; and that the marriage license form issued to the Municipality of Pateros are printed by the Bureau of Printing with serialized numbers and distributed to various provinces of municipalities thru proper requisitions which serial numbers even if already used in the printing of the marriage license forms in the past years are used again in the printing of the same forms in the succeeding years.

Various witnesses were presented by oppositor to prove that indeed the deceased and oppositor were married. David Montenegro, an employee of the National Archives & Records Section, testified that a copy of the marriage contract between Antonio A. Esman and Graciana Geronimo celebrated on January 7, 1955, is on file with their office.

Msgr. Moises Andrade, parish priest of Barasoain, Malolos, Bulacan, testified that he was asked to come over to teach in Guadalupe seminary and stayed in Pasig as assistant priest of the parish of Immaculate Concepcion from 1975 to 1983. Here, he came to know the spouses Graciana Geronimo and Antonio A. Esman whom he attended to spiritually, conducted mass for, gave communion, and visited them socially. He had occasions to go to the couple's garment business, Gragero Lingerie, and observed that the couple were quite close with each other and with the people working in their business.

Marciana Cuevas, assistant supervisor of the couple's garment business testified that she was aware of the marriage which took place between Graciana Geronimo and Antonio A. Esman; that they lived together as husband and wife in Bambang, Pasig, after the wedding; and that it is the oppositor who has been successfully supervising the lingerie business after the death of Graciana Geronimo.

Julie Reyes, supply officer of the governor's office, testified that she is in charge of all accountable forms being taken in the fourteen (14) municipalities of the province of Rizal which include marriage licenses; and pad no. 83 covering marriage licenses nos. 5038751 to 5038800 was taken by the Municipality of Pateros way back in October 9, 1953.

Florenciana Santos, assistant local civil registrar of Pateros, Metro Manila, testified that in the entry of marriage book of Pateros, particularly page no. 23 of book no. 2 and reg. no. 51, there is no column for the marriage license; that they started putting the marriage license only in 1980; that they have a copy of the questioned marriage contract in which the marriage license number is recorded; and that the records of 1959 were lost during a typhoon, but they sent a copy of the marriage contract to the archives section.

Oppositor Antonio A. Esman testified that he was married to Graciana Geronimo on January 7, 1955 in Pateros and were (sic) issued marriage license no. 5038770; and that he was introduced by the deceased to the public as her lawful husband. (Decision, pp. 1-3)"[2]

In affirming the judgment of the trial court, the public respondent stated:

"It may be conceded that [Exhibits "I" and "J"] of the petitioner-appellant do not bear the number of the marriage license relative to the marriage of Graciana Geronimo and the herein oppositor-appellee. But at best, such non-indication of the number could only serve to prove that the number was not recorded. It could not be accepted as convincing proof of non-issuance of the required marriage license. On the other hand, the marriage license number (No. 5038776, [sic] dated January 7, 1955) does appear in the certified archives copy of the marriage contract (Exhibit 7 and sub-markings). The non-indication of the license number in the certified copies presented by the petitioner-appellant could not be deemed as fatal vis-a-vis the issue of the validity of the marriage in question because there is nothing in the law which requires that the marriage license number would (sic) be indicated in the marriage contract itself."[3]

Unfazed by his successive defeats, and maintaining his adamant stand that the marriage between Graciana Geronimo and Antonio Esman is void, and, perforce, the latter had no right to be appointed as the administrator of the estate of the former, the petitioner artfully seeks to avoid any factual issue by now posing the following question in this petition: "Can there be a valid marriage where one of the essential requisites -- license -- is absent?" Doubtless, the query has been framed so as to apparently present a question of law. In reality, however, the question assumes that there was no marriage license, which is, of course, a factual contention. Both the trial court and the public respondent found and ruled otherwise.

In *BPI Credit Corporation vs. Court of Appeals*,^[4] which collated representative cases on the rule of conclusiveness of the findings of fact of the Court of Appeals and the exceptions thereto, we stated:

"Settled is the rule that only questions of law may be raised in a petition for certiorari under Rule 45 of the Rules of Court. The jurisdiction of this Court in cases brought to it from the Court of Appeals is limited to reviewing and revising errors of law imputed to it, its findings of fact being conclusive. It is not the function of this Court to analyze or weigh such evidence all over again, its jurisdiction being limited to reviewing errors of law that might have been committed by the lower court. Barring, therefore, a showing that the findings complained of are totally devoid of support in the record, or that they are so glaringly erroneous as to constitute serious abuse of discretion, they must stand.

There are, however, exceptions to this rule, namely:

(1) When the conclusion is a finding grounded entirely on speculation, surmises and conjectures; (2) When the inference made is manifestly mistaken, absurd or impossible; (3) When there is a grave abuse of discretion; (4) When the judgment is based on a misapprehension of facts; (5) When the findings of facts are conflicting; (6) When the Court of Appeals, in making its findings, went beyond the issues of the case and the same is contrary to the admissions of both appellant and appellee; (7) When the findings of the Court of Appeals are contrary to those of the trial court; (8) When the findings of fact are conclusions without citation of specific evidence on which they are based; (9) When the facts set forth in the petition as well as in the petitioner's main and reply briefs are not disputed by the respondents; and (10) When the finding of fact of the Court of Appeals is premised on the supposed absence of evidence and is contradicted by the evidence on record."

Petitioner fails to convince us that the instant case falls under any of the above exceptions.

On this score alone, the petition must inevitably fail. However, if only to disabuse the mind of the petitioner, we shall proceed to discuss the issue regarding the alleged absence of a marriage license.

Petitioner contends that there was no marriage license obtained by the spouses Esman because the copies of the marriage contract he presented (Exhibits "I" and "J") did not state the marriage license number. The flaw in such reasoning is all too obvious. Moreover, this was refuted by the respondent when he presented a copy of the marriage contract on file with the National Archives and Records Section (Exhibit "7") where the marriage license number (No. 5038770, dated 7 January 1955) does appear. Petitioner tried to assail this piece of evidence by presenting Exhibit "V," a certification of the Office of the Local Civil Registrar of Pasay City that Marriage License No. 5038770 was issued on 1 October 1976 in favor of Edwin G. Tolentino and Evangelina Guadiz. This was sufficiently explained by the Court of Appeals thus:

"It is a known fact, and it is of judicial notice, that all printed accountable forms of the Government like the Marriage License (Municipal Form 95-A) come from the National Printing Office and are printed with serial numbers. These forms are distributed upon proper requisition by the city/municipal treasurers concerned. But the serial numbers printed or used in a particular year are the same numbers used in the succeeding years when the same forms are again printed for distribution. However, the distribution of the serially-numbered forms do not follow the same pattern.

This is exactly what happened to Marriage License No. 5038770 which the appellant refused to acknowledge. Thus, it appears that while marriage License No. 5038770 was requisitioned and received by the Municipality of Pateros on October 09, 1953 thru the Office of the Provincial Treasurer of Rizal (as explained by Mrs. Julita Reyes and borne out by Exhibits "1" and "2") and later used by Antonio A. Esman and Graciana Geronimo in their marriage on January 07, 1955, another marriage license bearing the same number (No. 5038770) was also issued to the municipality of Pasig in October, 1959 (Exhibit "L-1"). Subsequently, still another marriage license bearing No. 5038770 was also issued to the Treasurer of Pasay City on June 29, 1976 (Exhibit "U-1") that was used by a certain Edwin G. Tolentino and Evangelina Guadiz (Exhibit "V"). (Appellee's Brief, pp. 31-32)"[5]

At most, the evidence adduced by the petitioner could only serve to prove the non-recording of the marriage license number but certainly not the non-issuance of the license itself.

WHEREFORE, the instant petition is DENIED and the decision appealed from is hereby AFFIRMED in toto.

Costs against the petitioner.

SO ORDERED.

Feliciano, (Chairman), Bidin, Romero, and Melo, JJ., concur.

[1] Entitled "Ireneo Geronimo vs. Antonio Esman." Per Associate Justice Serafin V.C. Guingona, concurred in by Associate Justices Vicente V. Mendoza and Jaime M. Lantin; Rollo, 24- 35.

[2] Rollo, 25-27.

[3] Id., 30.

[4] 204 SCRA 601, 608-609 [1991]. Footnotes citing cases are omitted.

[5] Rollo, 32-33.

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.