

**IN THE MATTER OF THE PETITION FOR ADMISSION TO PHILIPPINE
CITIZENSHIP BY NATURALIZATION OF CHUA TEK ALIAS
“SENANDO TAN”; CHUA TEK ALIAS SENANDO TAN,
PETITIONER-APPELLEE, VS. RE...**

G.R. No. 22372. March 31, 1967

Ponente: CONCEPCION, C.J.

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CONCEPCION, C.J.:

Appeal, taken by the Government, from a decision of the Court of First Instance of Quezon, granting the petition for naturalization of appellee Chua Tek, alias Senando Tan. Appellant maintains that said decision should be reversed be-cause appellee has neither a lucrative income nor a good moral character; because his petition is fatally defective; because he has not satisfactorily established that he be-lieves in the principles underlying the Constitution; and because he has not filed a declaration of intention, al-though not exempt therefrom.

The appeal is well taken. Appellee testified that his annual income is P6,000, although in his income tax returns for 1959 and 1960 he reported a net income of P3,701.36 and P5,191.31, respectively, and in both cases he claimed exemp-tion from said tax upon the ground that his personal exemp-tions exceeded his net income. But, even if the latter were P6,000 annually, the same is insufficient to characterize him as having a lucrative profession, occupation or calling, considering that he has a wife and seven (7) children, two (2) of them, at that time[1] - now, all of them - of school age, and the high cost of living.[2]

Moreover, appellee's petition shows that he uses an alias, namely, Senando Tan. Apart from this, the record shows that he has actually used the following other names, or aliases, namely: Sisenando Tan Chua Tek, in his 1961 Residence Certificate A; Chua Tek Tan, in his income tax returns for 1959 and 1960; Sisenando Nadres, in his mar-riage certificate Exhibit J; and Sisenando Nadres Tan, as well as Sisenando Tan, in a number of other documents (see Exhibits L and L-1 to L-5). Yet he does not appear to have secured the requisite judicial authority, in violation of Commonwealth Act No. 142.[3]

Again, two of his children, namely, Rosa and Concepcion, were enrolled in the Tayabas Sun Yat Sen School which, mani-festly, is mainly intended for Chinese or children of Chinese descent, although, during the pendency of this case in the lower court, he caused them to be transferred to a public school, in an effort, evidently, to evade the unfavorable implications of their former enrollment in said Chinese school. At any rate, he had already evinced thereby the absence of a sincere desire to embrace the customs and tra-ditions of the Filipinos.[4]

Without passing upon the other points raised by the appellant, it is clear, therefore, that the decision ap-pealed from should be, as it is hereby reversed, and an-other one rendered dismissing the herein petition for naturalization, with costs against appellee Chua Tek.

IT IS SO ORDERED.

Reyes, Regala, Bengzon, Sanchez, and Castro, JJ., concur.

Dizon, Makalintal, and Zaldivar, JJ., took no part.

[1] In 1960.

[2] Keng Giok vs. Republic, G.R. No. L-13347, August 31, 1961; Lao Gui vs. Republic, G.R. No. L-13717, July 31, 1962; Justo Tan vs. Republic, G.R. No. L-16013, March 30, 1963.

[3] Ko Bok vs. Republic, G.R. No. L-21452, April 29, 1966; Lee Tit alias Sia Khuy vs. Republic, G.R. No. L-21446, April 29, 1966; Wayne Chang alias Wong Lian vs. Republic, G.R. No. L-20713, April 29, 1966.

[4] Lim Yuen vs. Republic, G.R. No. L-21218, December 24, 1965.

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