

CANDIDO UY ALIAS RICABDO UY, PETITIONER AND APPELLEE, VS. REPUBLIC OF THE PHILIPPINES, OPPOSITOR AND APPELLANT.*G.R. No. 22712. November 29, 1965*

Ponente: BENGZON, J.P., J.

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A petition for change of name was filed on March 10, 1961 in the Court of First Instance of Pampanga by Candido Uy alias Ricardo Uy. Specifically he wanted to change his surname from Uy into Baluyot.

Petitioner is a Filipino citizen by naturalization, having taken his oath as such on October 9, 1959. Since birth in 1933 he has resided in San Fernando, Pampanga where he started in 1961 his present furniture business. Still bearing the Chinese surname "Uy", however, he is frequently mistaken for and identified as a Chinese citizen, according to him, to his chagrin, embarrassment and disappointment.

Accordingly, he filed the aforementioned petition in order to have a Filipino surname. For a new surname he chose "Baluyot" after former Secretary Sotero Baluyot. It is of record that Sotero Baluyot has been close to petitioner's family since pre-war days, is the godfather of petitioner's father, has interposed no objection and granted his written consent (Exh. E) to petitioner's adoption of his family name, following accepted practice in our country.

After the requisite publication, the court heard the petition. The Republic, through the Assistant Provincial Fiscal, appeared to oppose the petition on the ground that there was no sufficient showing that petitioner will be prejudiced by the continued use of his present name.

On November 22, 1961 the trial court granted the petition. The Republic appealed to the Court of Appeals. Said Court, by resolution of March 11, 1964, certified the appeal to us, finding that it involves only questions of law.

The only issue is whether petitioner has shown a "proper and reasonable cause" to warrant his change of name under Rule 103 of the Rules of Court.

In granting or denying petitions for change of name, the question of "proper and reasonable cause" is left to the sound discretion of the Court.[1] The evidence presented need only be satisfactory to the Court and not all the best evidence available.[2]

In the present case the trial court found to its satisfaction that petitioner was in earnest in his desire to do away with all traces of his former Chinese nationality and henceforth to be recognized as a Filipino. Such desire is in line with the policy of our naturalization laws that applicants for naturalization should fully embrace Filipino customs and traditions and socially mingle with Filipinos.

It is true, as appellant points out, that the surname Uy is used by native born Filipinos prominent in government and prosperous in business.[3] The fact remains that it is basically Chinese. And in the community where petitioner resides said surname has been shown to be the source of his being taken for a Chinese in view of his

ancestry. So much so that his business suffers from time lost in having to explain in his dealings, especially with government agencies, that he is naturalized Filipino (Tsn., 7, 16-17). Similarly, it has proved a social liability, causing much difficulty for him in entering civic organizations, such as the Lions Club (Tsn., 7-8).

It has not been shown that petitioner has any fraudulent intent in seeking a change of name. No criminal, civil, tax or any other liability on his part, which he may avoid by the change of name, has been suggested. Nothing has been presented to show any prejudice to the Government or to any individual should the petition be granted. In the absence of prejudice to the State or any individual, a sincere desire to adopt a Filipino name to erase signs of a former alien nationality which unduly hamper social and business life, is a proper and reasonable cause for a change of name. It is not trivial, whimsical or capricious.

Wherefore, the judgment appealed from is affirmed, without costs. So ordered.

Bengzon, C. J., Bautista Angelo, Concepción, Reyes, J. B. L., Dizon, Regala, Makalintal, and Zaldivar, JJ., concur.

[1] Yu vs. Republic, 106 Phil., 762; Ong vs. Republic, L-15549, June 30, 1962.

[2] Ching vs. Republic, L-8301, April 28, 1956.

[3] Former Congressman Uy; Atty. Uy; and Sweepstakes Agent Uy and others.

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