



Republic of the Philippines
Supreme Court
 Manila

THIRD DIVISION

SUE ANN BOUNSIT-TORRALBA,
 Petitioner,

G.R. No. 214392

- versus -

Present:

JOSEPH B. TORRALBA,
 Respondent,

CAGUIOA, J.,
Chairperson,
 INTING,
 GAERLAN,
 DIMAAMPAO,* *and*
 SINGH, JJ.

REPUBLIC OF THE PHILIPPINES,
 Oppositor-Respondent.

Promulgated:
December 7, 2022

X-----Mis-deck-----X

DECISION

GAERLAN, J.:

This is a Petition for Review on *Certiorari*¹ under Rule 45 of the Rules of Court, which seeks to reverse and set aside the Decision² of the Court of Appeals (CA) dated October 30, 2013, and the Resolution³ dated September 19, 2014, rendered in CA-G.R. CV No. 03656. In these assailed issuances, the CA reversed the Decision⁴ of the Regional Trial Court (RTC) of Toledo City, Branch 59, dated February 1, 2010 in Civil Case No. T-1897, which granted the Petition for the Declaration of Nullity of Marriage⁵ filed by petitioner Sue Ann Bounsit-Torralba (Sue Ann) against respondent Joseph B. Torralba (Joseph).

* On official leave.

¹ *Rollo*, pp. 10-38.

² Id. at 41-53; penned by Associate Justice Carmelita Salandanan-Manahan, with Associate Justices Ramon Paul L. Hernando (now a Member of this Court) and Gabriel T. Ingles, concurring.

³ Id. at 71-72; penned by Associate Justice Ramon Paul L. Hernando (now a Member of this Court), with Executive Justice Gabriel T. Ingles and Associate Justice Ma. Luisa C. Quijano-Padilla, concurring.

⁴ Id. at 54-61; penned by Judge Hermes B. Montero.

⁵ Id. at 73-79.

4

The Antecedents

Sue Ann and Joseph first met in 1989 when they were both in college in Cebu City.⁶ Every time Joseph visited Sue Ann in her boarding house, the former was always drunk, and would engage in drugs together with his friends. Sue Ann did not associate herself with Joseph then.⁷

It was only in December 1995 when Sue Ann accepted Joseph's proposal to be his lover after his frequent visits in Toledo City where Sue Ann was staying. At that time, Joseph was already working as a seaman.⁸ Since Joseph was in a hurry to report for work abroad, they decided to enter into a hasty civil marriage.⁹ They were married on January 26, 1996, in Pinamungajan, Cebu without a marriage license.¹⁰ He left for work a month after.¹¹

During their marital union, Joseph never showed love and respect for Sue Ann.¹² Every time Joseph was back home for his vacation, Joseph would contribute his full salary amounting to ₱40,000.00 to the conjugal funds, and would thereafter ask for the same money back to spend on his vices.¹³ He was always outside of their conjugal home and was rather out gambling and drinking with his friends until the wee hours of the night.¹⁴

Joseph also exhibited unreasonable and baseless jealousy towards Sue Ann's male friends. This is notwithstanding the fact that Joseph actually had illicit relationships with several women.¹⁵ With this attitude, Joseph would even insult, badmouth, and humiliate Sue Ann in front of their friends and relatives.¹⁶

In 2000, Joseph was ordered to disembark by his employer barely a month after he started working, as it was found that he was engaged in drug trafficking in Mexico, where he earned almost a million pesos. In less than a year, all the money were gone due to Joseph's unceasing gambling, drinking spree, substance use, and womanizing.¹⁷

⁶ Id. at 150.

⁷ Id.

⁸ Id. at 151.

⁹ Id at. 14-15.

¹⁰ Id. at 141.

¹¹ Id. at 155.

¹² Id. at 16.

¹³ Id. at 166

¹⁴ Id. at 16.

¹⁵ Id.

¹⁶ Id. at 17.

¹⁷ Id.

4

Later that year, Sue Ann gave birth to their only child named Elisha Kane Bounsit Torralba.¹⁸ In October 2001, due to Joseph's irresponsibility, Sue Ann left for Dubai to support her family. In December 2001, Sue Ann learned from her mother that Joseph had left after their daughter's first birthday. Since then, Sue Ann had no contact with Joseph anymore.¹⁹

On August 8, 2007, Sue Ann, without any hope of reconciling with her husband Joseph, filed a Petition for Declaration of Nullity of Marriage²⁰ before the RTC of Toledo City, Branch 59 on the ground of psychological incapacity under Article 36 of the Family Code of the Philippines. She alleged that Joseph was remiss and psychologically incapacitated to comply with his essential marital obligations.²¹ Also stated therein was the lack of marriage license.²² Despite service of summons, Joseph did not file an Answer.²³

Only Sue Ann presented evidence as Joseph failed to appear and participate during the trial. Sue Ann, together with Verlain Bounsit (Verlain), the former's niece, and expert witness Maryjun Y. Delgado (Delgado), a clinical psychologist, were presented as witnesses.²⁴

Aside from testifying on the purported psychological incapacity of Joseph as alleged on the complaint, Sue Ann also testified that when they became sweethearts in 1995, they did not cohabit together in the concept of husband and wife.²⁵ She likewise testified that they celebrated their marriage in 1996 without securing a marriage license.²⁶

For her part, Delgado testified that she conducted a method of psychological assessment interview on Sue Ann and Verlain.²⁷ She also opined that the marriage between Sue Ann and Joseph had grave issues that caused a lot of harm. She then concluded that Joseph is psychologically incapacitated, the root cause being his disarrayed personal experience with his family during childhood. Delgado also confirmed that Joseph's severe and incurable psychological incapacity was already present even before the couple married each other.²⁸ Her Psychological Assessment Report²⁹ further shows that Joseph is suffering from Anti-Social Personality Disorder brought about

¹⁸ Id. at 143.

¹⁹ Id. at 43.

²⁰ Id. at 73-79.

²¹ Id. at 43.

²² Id. at 74.

²³ Id. at 44.

²⁴ Id.

²⁵ Id. at 151-152.

²⁶ Id. at 152.

²⁷ Id. at 189.

²⁸ Id. at 44.

²⁹ Id. at 80-88.

by the dysfunctional upbringing by his parents, characterized by spoiling and anomalous parenting style.³⁰

Verlain corroborated Sue Ann's testimony that Joseph was indulged in gambling, drinking, and illegal drugs. She also testified that Joseph would always badmouth Sue Ann whenever he was drunk.³¹

The RTC Ruling

After trial on the merits, the RTC rendered the Decision,³² dated February 1, 2010, the dispositive portion of which reads:

WHEREFORE, in light of the foregoing, the Court finds for plaintiff. Hence, in accordance with Article 36 of the Family Code, mentioned, supra, the marriage between Sue Ann Bounsit-Torralba and Joseph B. Torralba on January 26, 1996 at the Municipal Circuit Trial Court of Pinamungajan-Aloguinsan, Cebu is hereby declared null and void.

Moreover, the only child of the spouses named Elisha Kane B. Torralba who was born on November 15, 2000 shall be in the custody of the plaintiff.

SO ORDERED.³³

The Republic of the Philippines, represented by the Office of the Solicitor General (OSG), moved for the reconsideration³⁴ of the said Decision, but the same was denied by the RTC in an Order dated July 5, 2010, due to lack of merit.³⁵

The CA Ruling

On August 13, 2010, the OSG filed a Notice of Appeal which was given due course. The case was then elevated to the CA Visayas Station, Cebu City, with the sole assignment of error that the RTC erred in finding Joseph psychologically incapacitated to perform his martial obligations.³⁶

³⁰ Id. at 85.

³¹ Id. at 19.

³² Id. at 54-61.

³³ Id. at 61.

³⁴ Id. at 89-93.

³⁵ Id. at 45.

³⁶ Id. at 21.

Meanwhile, Sue Ann, in her Appellee's Brief,³⁷ argued that the totality of evidence presented sufficiently established Joseph's psychological incapacity.³⁸ She also emphasized that their marriage is likewise null and void for having been celebrated without a marriage license, especially given the established fact that the parties never cohabited as husband and wife for a period of at least five years before the date of the marriage, thus, not entitling them to be exempted from the requirement of a marriage license.³⁹

In its Decision,⁴⁰ dated October 30, 2013, the CA held:

WHEREFORE, premises considered, the Appeal is **GRANTED**. The *Decision* dated February 1, 2010, of the Regional Trial Court (RTC), Branch 59, Toledo City in Civil Case No. T-1897, is hereby **REVERSED and SET ASIDE**. Accordingly, the marriage between the parties is declared **VALID** and subsisting. No costs.

SO ORDERED.⁴¹

The CA did not rule on the issue of lack of marriage license, prompting Sue Ann to file a Motion for Reconsideration of the said Decision.⁴² In its Resolution⁴³ dated September 19, 2014, the CA denied the said motion due to lack of merit and still without ruling on the issue of lack of marriage license. The dispositive portion of the said Resolution⁴⁴ reads:

WHEREFORE, premises considered, the motion for reconsideration filed by petitioner-appellee is hereby **DENIED**.

SO ORDERED.⁴⁵

Hence, the present recourse.

Issues

Sue Ann submits the following issues for the Court's consideration:

³⁷ Id. at 110-139.
³⁸ Id. at 117-118.
³⁹ Id. at 133.
⁴⁰ Id. at 41-53.
⁴¹ Id. at 52.
⁴² Id. at 22.
⁴³ Id. at 71-72.
⁴⁴ Id.
⁴⁵ Id. at 72.

J

I.

WHETHER THE CA ERRED IN REVERSING AND SETTING ASIDE THE DECISION OF THE RTC DESPITE CLEAR AND CONVINCING EVIDENCE SUPPORTING THE FINDING OF PSYCHOLOGICAL INCAPACITY ON THE PART OF JOSEPH; AND

II.

WHETHER THE CA COMMITTED GRAVE ABUSE OF DISCRETION AMOUNTING TO LACK OR EXCESS OF JURISDICTION WHEN IT REFUSED, WITHOUT ANY JUSTIFIABLE REASON, TO RULE ON THE VALIDITY OF THE MARRIAGE ON THE BASIS OF THE ABSENCE OF A VALID MARRIAGE LICENSE.⁴⁶

Meanwhile, the OSG posits that the instant petition must be denied for there are issues raised that are outside the ambit of a petition for review on *certiorari*.⁴⁷ The OSG also postulates that Sue Ann failed to sufficiently prove the psychological incapacity of Joseph.⁴⁸ Further, the OSG adds that Sue Ann alleged only for the first time in her appellee's brief that she never cohabited with Joseph as husband and wife for at least five years prior to their marriage.⁴⁹

The Court's Ruling

The Court grants the petition.

Procedural rules are essential in the administration of justice.⁵⁰ These rules are established to provide order and improve the efficiency of our judicial system.⁵¹

However, it is equally true that courts are not enslaved by technicalities.⁵² They have the prerogative to reduce even the most stringent procedural requirements, keeping in mind the need to balance the necessity to resolve litigation as quickly as possible with the parties' right to be heard. Cases should be determined only after all parties have had an opportunity to argue their causes and defenses. Technicality and procedural flaws should not,

⁴⁶ Id. at 23.

⁴⁷ Id. at 215.

⁴⁸ Id. at 219.

⁴⁹ Id. at 224.

⁵⁰ *Dr. Malixi v. Dr. Baltazar*, 821 Phil. 423, 435 (2017).

⁵¹ *Le Soleil Int'l. Logistics Co., Inc. v. Sanchez*, 769 Phil. 466, 473 (2015).

⁵² *Latogan v. People of the Philippines*, G.R. No. 238298, January 22, 2020.

4

as rule, be decisive of cases when the strict application of the rules frustrates rather than promotes substantial justice.⁵³

In the present case, Sue Ann, through counsel, filed a Petition for Review on *Certiorari* under Rule 45 of the Rules of Court. However, the main issue⁵⁴ raised is grave abuse of discretion amounting to lack or excess of jurisdiction on the part of the CA when it refused, without any justifiable reason, let alone, any explanation, to rule on the validity of the marriage on the basis of the absence of a valid marriage license despite the nagging, established, and uncontested fact that Sue Ann and Joseph were married without any marriage license, a requisite to a valid marriage. Said issue falls within the ambit of Rule 65 and not Rule 45, as correctly argued by the OSG.⁵⁵

Nonetheless, in the interest of substantial justice, the Court resolves in view of the attendant circumstances of this case, to disregard the procedural lapse committed in order to give the parties the amplest opportunity to ventilate their claims and to fully ascertain the merits of the case.⁵⁶ In any case, both the petitioner and the respondent were able to present their claims and to address the issues presented by both parties.

I

Sue Ann failed to establish the psychological incapacity of Joseph.

Sue Ann alleges that there is clear and convincing evidence to establish the finding of psychological incapacity on the part of Joseph.⁵⁷ She supports this argument by presenting the Psychological Assessment Report⁵⁸ prepared by Delgado, after interviewing her and her sister Merlin, where it was concluded that Joseph is psychologically incapacitated to comply with his essential marital obligations because he suffers from Anti-Social Personality Disorder. Said disorder is rooted from the dysfunctional upbringing by his parents, characterized by a spoiling and anomalous parenting style.⁵⁹ Meanwhile, the OSG argues that a psychological evaluation based on a one-sided description alone can hardly be considered as credible or sufficient.⁶⁰

⁵³ Id.

⁵⁴ *Rollo*, p. 23.

⁵⁵ Id. at 216.

⁵⁶ *Acaylar, Jr. v. Harayo*, 582 Phil. 600, 613 (2008).

⁵⁷ *Rollo*, p. 28.

⁵⁸ Id. at 80-88.

⁵⁹ Id. at 29.

⁶⁰ Id. at 222.

In *Santos v. CA*,⁶¹ the Court explained psychological incapacity in this wise:

[P]sychological incapacity' should refer to no less than a mental (not physical) incapacity that causes a party to be truly incognitive of the basic marital covenants that concomitantly must be assumed and discharged by the parties to the marriage which, as so expressed by Article 68 of the Family Code, include their mutual obligations to live together, observe love, respect and fidelity and render help and support. There is hardly any doubt that the intendment of the law has been to confine the meaning of "psychological incapacity" to the most serious cases of personality disorders clearly demonstrative of an utter insensitivity or inability to give meaning and significance to the marriage.⁶²

Case law consistently adhered to the guidelines in appreciating psychological incapacity cases set in *Republic v. Court of Appeals and Molina (Molina)*.⁶³ The Court cites the fairly recent iteration of the guidelines in *Tan-Andal v. Andal (Tan-Andal)*,⁶⁴ to wit:

x x x [P]sychological incapacity must be characterized by (a) gravity, x x x (b) juridical antecedence, x x x and (c) incurability x x x. These characteristics make up the elements of the cause of action of psychological incapacity and represent a summary of the binding rules in *Republic v. Molina*:

(1) The burden of proof to show the nullity of the marriage belongs to the plaintiff. x x x

(2) The root cause of the psychological incapacity must be: (a) medically or clinically identified, (b) alleged in the complaint, (c) sufficiently proven by experts and (d) clearly explained in the decision. x x x

(3) The incapacity must be proven to be existing at "the time of the celebration" of the marriage. x x x

(4) Such incapacity must also be shown to be medically or clinically permanent or incurable. x x x

(5) Such illness must be grave enough to bring about the disability of the party to assume the essential obligations of marriage. x x x

(6) The essential marital obligations must be those embraced by Articles 68 up to 71 of the Family Code as regards the husband and wife, as well as Articles 220, 221 and 225 of the same Code in regard to parents and their children. x x x

⁶¹ 310 Phil. 21 (1995).

⁶² Id. at 40.

⁶³ 335 Phil. 664 (1997).

⁶⁴ G.R. No. 196359, May 11, 2021.

(7) Interpretations given by the National Appellate Matrimonial Tribunal of the Catholic Church in the Philippines, while not controlling or decisive, should be given great respect by our courts. x x x

(8) The trial court must order the prosecuting attorney or fiscal and the Solicitor General to appear as counsel for the state x x x⁶⁵ (Citation omitted)

However, the Court in *Tan-Andal* modified the *Molina* doctrine. The Court ruled that psychological incapacity is neither a mental incapacity nor a personality disorder that must be proven through expert opinion, thereby abandoning the second guideline in *Molina*.⁶⁶ The Court also declared that the psychological incapacity contemplated in Article 36 of the Family Code is incurable, not in the medical, but in the legal sense; hence, the fourth *Molina* guideline is amended accordingly.⁶⁷

Applying these guidelines set by jurisprudence to the factual milieu of the case, the Court finds that Sue Ann failed to establish the psychological incapacity of Joseph. The Court agrees with the court a quo that Sue Ann's evidence merely showed that Joseph was a "compulsive gambler, habitual drunkard, womanizer, illegal substance user, and even a drug trafficker."⁶⁸ Nevertheless, these actuations are not related to the psychological incapacity alleged by Sue Ann.

Even if the Court resolves on the basis of the report of expert witness Delgado declaring that Joseph suffers from Anti-Social Personality Disorder,⁶⁹ there is still failure to explain how the said disorder actually relates to the acts manifested by the latter, and how the incapacity is caused by a genuinely serious psychic cause, as required in *Tan-Andal*.⁷⁰ First, in stating that Joseph fails to conform to social normal with respect to lawful behavior, Delgado stated that the same is manifested by the fact that Joseph never had plans for his family for a better life in the future. Instead, he indulged in a squalid life to answer his own selfish needs. Second, Joseph exhibits deceitfulness for personal profit, as shown by his participation in an organized international crime as a seaman. Others include impulsivity, irritability and aggressiveness, reckless disregard for the safety and welfare of others, consistent irresponsibility, and lack of remorse.⁷¹

⁶⁵ Id.

⁶⁶ Id.

⁶⁷ Id.

⁶⁸ *Rollo*, p. 48.

⁶⁹ Id. at 98.

⁷⁰ *Supra* note 64.

⁷¹ *Rollo*, pp. 85-86.

0

Seeing it from this light, the Court finds that these actuations or manifestations are not related to his marital obligations and psychological incapacity as defined by law. These are rather personal issues that must be resolved by Joseph for and by himself. In emphasizing that he lives to his own selfish needs and deceitfulness for personal profit, it goes to show that these acts reflect more on his obligations to himself, rather than to their marital ties.

In any case, the Court cannot give credence to the psychological assessment report as well as Delgado's testimony. The said report was merely based on the psychological assessment interview with Sue Ann, commentaries from Merlin Bounsit, sister of Sue Ann, and documents filed with the RTC.⁷²

The Court is aware that neither law nor jurisprudence requires that the person sought to be declared psychologically incapacitated should be personally examined by a physician or psychologist as a condition *sine qua non* to arrive at such declaration.⁷³ If a psychological disorder can be proven by independent means, no reason exists why such independent proof cannot be admitted and given credit.⁷⁴ However, in the present case, the Court finds no independent proof.

It must be noted that the supposed Anti-Social Personality Disorder being suffered by Joseph, as stated in the report, was purportedly brought about by his parents' dysfunctional upbringing, characterized by spoiling and anomalous parenting style.⁷⁵ Moreover, Delgado stated in her testimony before the RTC:

Q: What is the personality experience of the respondent, Madam that makes him suffered [sic] that personal disorder?

A: As I said, it is personal experience of family orientation and even when he was in adolescence [sic] he was already given a chance [sic] or he was not disciplined by his family with values. Likewise, he was doing doings [sic] freely devoid values.⁷⁶

Clearly, Delgado wanted to trace it back to Joseph's adolescence to prove the cause of his supposed incapacity. Yet, it was Sue Ann, whom Joseph only met in college,⁷⁷ who was questioned by Delgado on this matter. Neither Joseph's parents nor any relative was interviewed to prove his supposed dysfunctional upbringing and personal experience of family orientation which led to the Anti-Social Personality Disorder. Verily, these

⁷² Id. at 80.

⁷³ *Marcos v. Marcos*, 397 Phil. 840 (2000).

⁷⁴ Id. at 850.

⁷⁵ *Rollo*, p. 85.

⁷⁶ Id. at 192.

⁷⁷ Id. at 150.

4

are matters not known to Sue Ann and cannot reliably testify on. As correctly argued by the OSG, evidence from independent sources who intimately knew Joseph, aside from Sue Ann, before and after the celebration of their marriage could have added weight to the psychological report.⁷⁸ However, the same is unavailing in this case.

All points considered, Sue Ann and Joseph's marriage cannot be declared null and void on the ground of psychological incapacity.

II

The marriage is null and void for lack of a valid marriage license.

Anent the issue on the lack of a valid marriage license, Sue Ann holds that the subject marriage is void because the same was celebrated without the required marriage license,⁷⁹ as apparent on the marriage certificate.⁸⁰ She adds that the records are clear that the parties did not cohabit as husband and wife prior to the celebration of their marriage, thereby excluding their case from those excepted from the issuance of a marriage license.⁸¹

Meanwhile, the OSG argues that Sue Ann alleged only for the first time in her appellee's brief filed with the CA that she never cohabited with Joseph as husband and wife five years prior to their marriage.⁸² The OSG adds that Sue Ann failed to expound on such fact as a valid ground for the nullification of her marriage.⁸³

First, addressing the argument of the OSG that Sue Ann only raised the issue on lack of marriage license in her appellee's brief and should thus be disregarded, the same is without merit. The OSG itself stated in its comment⁸⁴ that the absence of a valid marriage license was averred in Sue Ann's petition for declaration of nullity.⁸⁵ More so, it was already apparent on the face of the marriage certificate⁸⁶ that there is no marriage license to begin with. The same fact was also testified to by Sue Ann during the direct examination before the RTC,⁸⁷ and thus, there was opportunity on the part of the respondent to question her on this matter during cross-examination.

⁷⁸ Id. at 222.
⁷⁹ Id. at 24.
⁸⁰ Id. at 140.
⁸¹ Id. at 23.
⁸² Id. at 224.
⁸³ Id. at 225.
⁸⁴ Id. 214-227.
⁸⁵ Id. at 225.
⁸⁶ Id. at 140.
⁸⁷ Id. at 152-153.

1

Now proceeding to the substantive aspect of the controversy and to settle the more important issue, since the marriage of Sue Ann and Joseph was solemnized on January 26, 1996, Executive Order No. 209, or the Family Code of the Philippines, is the applicable law. The pertinent provisions applicable in this particular case are Articles 3, 4 and 35 (3) of the Family Code, which read as follows:

Art. 3. The formal requisites of marriage are:

- (1) Authority of the solemnizing officer;
- (2) A valid marriage license except in the cases provided for in Chapter 2 of this Title; and
- (3) A marriage ceremony which takes place with the appearance of the contracting parties before the solemnizing officer and their personal declaration that they take each other as husband and wife in the presence of not less than two witnesses of legal age.

Art. 4. The absence of any of the essential or formal requisites shall render the marriage *void ab initio*, except as stated in Article 35(2).

A defect in any of the essential requisites shall render the marriage voidable as provided in Article 45.

An irregularity in the formal requisites shall not affect the validity of the marriage but the party or parties responsible for the irregularity shall be civilly, criminally and administratively liable.

Art. 35. The following marriages shall be void from the beginning:

x x x x

- (3) Those solemnized without a license, except those covered by the preceding Chapter.

There is no issue as to the authority of the solemnizing officer and the conduct of the marriage ceremony. The resolution of this case hinges on whether the marriage is one that is exempt from the requirement of a marriage license. In that regard, the pertinent provision of the Family Code provides:

Art. 34. No license shall be necessary for the marriage of a man and a woman who have lived together as husband and wife for at least five years and without any legal impediment to marry each other. The contracting parties shall state the foregoing facts in an affidavit before any person authorized by law to administer oaths. The solemnizing officer shall also state under oath that he ascertained the qualifications of the contracting parties and found no legal impediment to the marriage.

It is apparent on the face of the Certificate of Marriage between Sue Ann and Joseph that there is no marriage license. However, they marked the box with the statement, “No marriage license was necessary. The marriage being solemnized under Art. 34 of Executive Order No. 209.”⁸⁸ No fact, however, shows that the two executed an affidavit as required by the said provision.

There is also no fact showing that Sue Ann and Joseph actually lived together as husband and wife for five years prior January 26, 1996, the time of the celebration of their marriage. Without a doubt, the records precisely and undisputedly show that it was only in December 1995 when the two officially got together as sweethearts.⁸⁹ Earlier than that, Joseph would visit their boarding house, but Sue Ann would not associate herself with the former.⁹⁰ Thus, it was impossible for them to live together as husband and wife five years prior to their marriage.

Since the exceptional case under Article 34 of the Family Code does not apply, the requisite of a valid marriage license is lacking. Hence, pursuant to Article 35 of the said law, the marriage between Sue Ann and Joseph is void from the beginning.

Finally, the Court reiterates its ruling in *Republic of the Philippines v. Dayot*,⁹¹

x x x The solemnization of a marriage without prior license is a clear violation of the law and would lead or could be used, at least, for the perpetration of fraud against innocent and unwary parties, which was one of the evils that the law sought to prevent by making a prior license a prerequisite for a valid marriage. The protection of marriage as a sacred institution requires not just the defense of a true and genuine union but the exposure of an invalid one as well.⁹² (Citation omitted)

WHEREFORE, in view of the foregoing, the Petition for Review on *Certiorari* is **GRANTED**. Consequently, the Decision dated October 30, 2013 and the Resolution dated September 19, 2014, of the Court of Appeals in Civil Case No. CA-G.R. CV No. 03656 are **REVERSED and SET ASIDE**. The Decision dated February 1, 2010 of the Regional Trial Court, Branch 59, Toledo City in Civil Case No. T-1897 declaring the marriage between petitioner and respondent **NULL and VOID** is hereby **REINSTATED**.

⁸⁸ Id. at 140.

⁸⁹ Id. at 151.

⁹⁰ Id.

⁹¹ 573 Phil. 553 (2008).

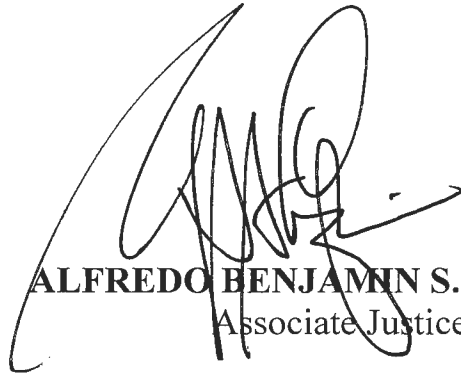
⁹² Id. at 574.

SO ORDERED.



SAMUEL H. GAERLAN
Associate Justice

WE CONCUR:



ALFREDO BENJAMIN S. CAGUIOA
Associate Justice



HENRI JEAN PAUL B. INTING
Associate Justice

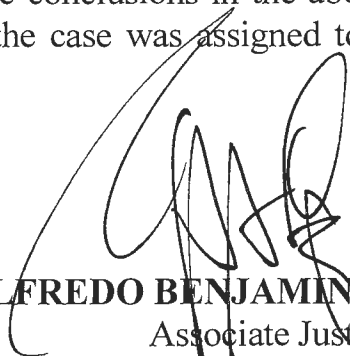
(On official leave)
JAPAR B. DIMAAMPAO
Associate Justice



MARIA FILOMENA D. SINGH
Associate Justice

ATTESTATION

I attest that the conclusions in the above Decision had been reached in consultation before the case was assigned to the writer of the opinion of the Court's Division.



ALFREDO BENJAMIN S. CAGUIOA
Associate Justice
Chairperson

CERTIFICATION

Pursuant to Section 13, Article VIII of the Constitution and the Division Chairperson's Attestation, I certify that the conclusions in the above Decision had been reached in consultation before the case was assigned to the writer of the opinion of the Court's Division.


ALEXANDER G. GESMUNDO
Chief Justice

1