

Peralihan hak atas tanah karena jual beli di bawah tangan dan perkara proses penerbitan sertipikat hak milik (studi kasus putusan nomor 3005K/PDT/1995 dan putusan nomor 23/K/TUN/2005) = The transfer rights of land for buying and selling underhanded and the process of issuing certificate case title case number 3005K/PDT/1995 and case number 23/K/TUN/2005

Pardede, Feisha Gracia Nouvita, author

Deskripsi Lengkap: <https://lib.ui.ac.id/detail?id=20403702&lokasi=lokal>

Abstrak

[ABSTRAK

Saat ini masih banyak terjadi praktek jual beli yang dilakukan dibawah tangan atau tanpa dengan akta jual beli yang dilakukan dihadapan PPAT (Pejabat Pembuat Akta Tanah), yang tentunya tanpa akta tersebut masyarakat tidak dapat melakukan pendaftaran tanah atas peralihan hak tersebut pada Kantor Badan Pertanahan Nasional. Terdapat juga penerbitan Sertifikat Hak Milik oleh Kantor Badan Pertanahan Kota Medan tanpa disertai data yuridis maupun fisik yang benar. Penelitian ini menggunakan metode analisis kualitatif, yaitu data diperoleh, dibaca serta ditafsirkan sendiri oleh peneliti berdasarkan peraturan perundang-undangan yang berlaku di Indonesia. Tujuan dari penelitian ini adalah untuk mengetahui keabsahan jual beli tanah yang dilakukan di bawah tangan dan perkara proses penerbitan sertipikat hak milik, khususnya dalam Perkara Nomor 305K/Pdt/1995 dan Perkara Nomor 23/K/TUN/2005. Hasil kajian ini menunjukkan bahwa jual beli tanah yang dilakukan tanpa akta jual beli PPAT adalah sah menurut hukum, namun untuk melakukan pendaftaran peralihan hak pada Kantor Badan Pertanahan Nasional. Penerbitan sertifikat sebagai bukti hak oleh Kantor Badan Pertanahan Nasional juga harus didasari dengan data yuridis dan data fisik yang benar.

<hr>

ABSTRACT

Currently, there is still a lot of buying and selling underhanded or without the deed of sale is done before PPAT (Pejabat Pembuat Akta Tanah), which of course without the deed, the people cannot do the transfer of rights over the registration as meant in office of National Land Agency. There is also the issuance of Certificate in office of Medan National Land Agency unaccompanied by judicial and physical right. This research used a qualitative analysis method, namely based on the data obtained, read and interpreted by the researchers based on the laws and regulations in force in Indonesia. The purpose of this study was to determine the validity of the sale and purchase of land made underhanded and cause the issuance of certificates of property rights, particularly in case number 305K / Pdt / 1995 and case number 23 / C / TUN / 2005. The results of the review showed that the sale and purchase of land is done without a deed of sale PPAT is lawful, but to register the transfer of the National Land Agency. The issuance of a certificate as proof of rights by the National Land Agency should also be based on the juridical data and physical data are correct.;Currently, there is still a lot of buying and selling underhanded or without the deed of sale is done before PPAT (Pejabat Pembuat Akta Tanah), which of course without the deed, the

people cannot do the transfer of rights over the registration as meant in office of National Land Agency. There is also the issuance of Certificate in office of Medan National Land Agency unaccompanied by judicial and physical right. This research used a qualitative analysis method, namely based on the data obtained, read and interpreted by the researchers based on the laws and regulations in force in Indonesia. The purpose of this study was to determine the validity of the sale and purchase of land made underhanded and cause the issuance of certificates of property rights, particularly in case number 305K / Pdt / 1995 and case number 23 / C / TUN / 2005. The results of the review showed that the sale and purchase of land is done without a deed of sale PPAT is lawful, but to register the transfer of the National Land Agency. The issuance of a certificate as proof of rights by the National Land Agency should also be based on the juridical data and physical data are correct.;Currently, there is still a lot of buying and selling underhanded or without the deed of

sale is done before PPAT (Pejabat Pembuat Akta Tanah), which of course without the deed, the people cannot do the transfer of rights over the registration as meant in office of National Land Agency. There is also the issuance of Certificate in office of Medan National Land Agency unaccompanied by judicial and physical right. This research used a qualitative analysis method, namely based on the data obtained, read and interpreted by the researchers based on the laws and regulations in force in Indonesia. The purpose of this study was to determine the validity of the sale and purchase of land made underhanded and cause the issuance of certificates of property rights, particularly in case number 305K / Pdt / 1995 and case number 23 / C / TUN / 2005. The results of the review showed that the sale and purchase of land is done without a deed of sale PPAT is lawful, but to register the transfer of the National Land Agency. The issuance of a certificate as proof of rights by the National Land Agency should also be based on the juridical data and physical data are correct.;Currently, there is still a lot of buying and selling underhanded or without the deed of

sale is done before PPAT (Pejabat Pembuat Akta Tanah), which of course without the deed, the people cannot do the transfer of rights over the registration as meant in office of National Land Agency. There is also the issuance of Certificate in office of Medan National Land Agency unaccompanied by judicial and physical right. This research used a qualitative analysis method, namely based on the data obtained, read and interpreted by the researchers based on the laws and regulations in force in Indonesia. The purpose of this study was to determine the validity of the sale and purchase of land made underhanded and cause the issuance of certificates of property rights, particularly in case number 305K / Pdt / 1995 and case number 23 / C / TUN / 2005. The results of the review showed that the sale and purchase of land is done without a deed of sale PPAT is lawful, but to register the transfer of the National Land Agency. The issuance of a certificate as proof of rights by the National Land Agency should also be based on the juridical data and physical data are correct., Currently, there is still a lot of buying and selling underhanded or without the deed of

sale is done before PPAT (Pejabat Pembuat Akta Tanah), which of course without the deed, the people cannot do the transfer of rights over the registration as meant in office of National Land Agency. There is also the issuance of Certificate in office of Medan National Land Agency unaccompanied by judicial and physical right. This research used a qualitative analysis method,

namely based on the data obtained, read and interpreted by the researchers based on the laws and regulations in force in Indonesia. The purpose of this study was to determine the validity of the sale and purchase of land made underhanded and cause the issuance of certificates of property rights, particularly in case number 305K / Pdt / 1995 and case number 23 / C / TUN / 2005. The results of the review showed that the sale and purchase of land is done without a deed of sale PPAT is lawful, but to register the transfer of the National Land Agency. The issuance of a certificate as proof of rights by the National Land Agency should also be based on the juridical data and physical data are correct.]