

ABSTRACT

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JURIDICAL REVIEW DUE TO LAND DEED OFFICIAL MALADMINISTRATION LAW IN THE MAKING OF DEED OF SALE AND PURCHASE (Case Study No. 3881 K / Pdt / 2016)

(xi+ 133 Pages)

The need for land today continues to increase which causes land prices to become expensive and people increasingly find it difficult to buy land. This has the potential to cause land disputes and conflicts caused by land. To ensure legal certainty based on Government Regulation No. 24 of 1997 concerning Land Registration, all agreements aimed at transferring land rights must be proven through a deed made before Land Deed Official. But in practice, there are still Land Deed Official who do maladministration in making deeds of sale and purchase. Based on the verdict case No. 3811 K / Pdt / 2016, Doso Warsono as the Plaintiff filed a claim for compensation and cancellation of the Sale and Purchase Act number 526/2008 which according to him was not made under the procedures prescribed by the Law. The purposes of this research are to analyse the form of law enforcement to Land Deed Official who perform maladministration in the making of the deed of sale and analyse the legal considerations of judges' decisions regarding the legal consequences of maladministration actions carried out by Land Deed Official by using the normative approach with descriptive-analytical and qualitative data analysis method, the data of the research is secondary data obtained from the literature by using statute approach and case approach. The result of this research is Land Deed Official that performs maladministration acts responsible administratively, civilly, and criminally based on Land Deed Official Department Regulations and other relevant regulations. In this case, the Panel of Judges has carefully and fairly considered the validity of the Deed of Sale and Purchase made not under the procedure of its contents is still valid to be the only deed underhand if it meets the validity of the agreement in Article 1320 Indonesia Civil Code

References: 58 (1984-2020)

Keywords: Maladministration, Land Deed Official, Tort