

## ABSTRACT

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### **LEGAL ANALYSIS OF ACTS AGAINST THE LAW IN THE ISSUANCE OF SUBSTITUTIONAL PROPRIETARY RIGHTS CERTIFICATE WITHOUT BEING BASED ON RIGHTS (CASE STUDY OF 184/Pdt.G/2017/PN Sgr. DISTRICT COURT DECISIONS)**

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Tort law is every act of inflicting harms other people, requires that person who is guilty of causing losses to compensate for the loss. Tort law is regulated in article 1365 Civil Code. In land dispute case based on decision number 184/Pdt.G/2017/PN Sgr., Defendant I, who became the root of the problem in this case, filed an application for the issuance of a replacement certificate without being based on the rights included in tort law. This study aims to determine the elements of tort law in the issuance of rights certificates substitute property that is exercised without the basis of the rights justified by law agrarian and organic regulations are fulfilling the five elements of Article 1365 Civil Code and also to find out legal considerations and judges' decisions in the Decision on Case Number 184 / Pdt.G / 2017 / PN Sgr. in terms of Law Number 5 of 1960 concerning Basic Agrarian Principles in conjunction with Government Regulations Number 24 of 1997 concerning Land Registration. This research is a normative legal research which is a research method by collecting and analyzing secondary data. The data collection technique through the library research in the form of District Court decisions obtained from the decision directory of the Supreme Court website and linked from various sources of literature where the information can be obtained from books, journals, expert opinion, website, and other sources. The type of approach the writer used in this research is the statutory approach, the case approach, and the conceptual approach which are then analyzed qualitatively. In their decision, the panel of judges won over the plaintiffs. Then the defendants as the losing party, especially Defendant III, who was the last party to control the disputed land object, were punished to vacate and then hand over the disputed land object to the Plaintiffs. based on the results of the analysis related to the judges' considerations, the actions of Defendant I, Defendant II, and Defendant III have fulfilled the elements of tort law and violated Law Number 5 of 1960 concerning Basic Agrarian Principles in conjunction with Government Regulations Number 24 of 1997 concerning Land Registration.

References : 47 (1960-2020)

Keywords : Land Registration, Freehold Title, Tort Law