

ABSTRACT

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“EFFORTS TO RESOLVE UNLAWFUL LAND GRABBING (Case Study of Supreme Court Decision Number 2241K/Pdt/2017)”

(i-xii + 119 pages;1 table;4 attachment)

The background of this research is the number of land disputes that have not been registered, one of which is the dispute between Yohanis and Martinus. Yohanis has been the party that has owned the disputed land for more than 20 years, but Martinus has sued for ownership of the land on the grounds that he is the rightful owner through buying and selling. The author raises 2 problem formulations, namely legal protection for those who own land for more than 20 years and settlement of disputes against acts of unlawful land control with the Case Study of Supreme Court Decision Number 2241K/Pdt/2017. This study aims to determine legal protection for those who own land for more than 20 years and to find a normative basis for resolving land disputes that are illegally controlled. This study uses a normative method with a statutory approach and a case approach. Through research, it is known that PP 24/1997 stipulates that a person can register land with former rights, one of which is with proof of physical possession for 20 years. The difference with PP 18/2021 is that the physical evidence of ownership does not apply to former western land rights. So, through this provision, the judge's decision in the case between Yohanis and Martinus was correct because in favour of Yohanis because he had owned the land for 39 years, however the panel of judges' consideration was imprecise because it is not equipped with a comprehensive article reference.

Keywords: Legal Protection, Land Dispute, Illegal Land Grabbing

References: 65 (1945-2021)