

**LAWSUIT AGAINST THE ISSUANCE OF PROPERTY RIGHTS CERTIFICATES
THAT ARE SUSPECTED OF BEING MISAPPROPRIATED**

(Study of the Bandung High Court Decision Number 444/PDT/2024/PT BDG)

Riska Nadia Galuh Larasati, Mella Ismelina Farma Rahayu

Universitas Tarumanagara, Indonesia

Email: riskangls@gmail.com

Keywords	Abstract
land disputes, lawsuits, unlawful acts, issuance of certificates of title	Land disputes in Indonesia often arise from conflicting claims over property certificates, exacerbated by informal proofs like <i>Leter C</i> . This study analyzes the Bandung High Court’s ruling (Decision No. 444/PDT/2024/PT BDG) on an unlawful acts lawsuit challenging the issuance of certificates allegedly misappropriating ancestral land. The research aims to assess the court’s adherence to agrarian laws (UUPA, PP 24/1997) and evaluate the plaintiffs’ failure to prove ownership via certificates. The research used a normative juridical approach, combining statute, conceptual, and case analyses of primary legal materials (court rulings, UUPA) and secondary literature. The court rightly dismissed the lawsuit, affirming certificates as sole valid proof of ownership under Article 19 UUPA. Plaintiffs’ reliance on <i>Leter C</i> contravened Supreme Court jurisprudence (No. 023K/PDT/1992), highlighting the need for administrative resolution via BPN before litigation. Strengthens legal certainty in land disputes but underscores systemic inefficiencies in BPN’s mediation. Future research should optimize BPN’s dispute mechanisms and harmonize judicial-administrative coordination.



INTRODUCTION

In line with the development of globalization, the use of land is not only a place to live, and do work such as farming, but can also be used as collateral to get loans from banks for the purposes of renting, renting, and buying and selling. Along with the increasing need for land, problems, conflicts or disputes whose object is land will also occur more and more. Land conflict is a dispute between individuals, groups, groups, organizations, legal entities or institutions that have a tendency or have a wide sociopolitical impact (Agegnehu et al., 2021; Asaaga, 2021; Di Falco et al., 2020; Karjoko et al., 2021; van Leeuwen et al., 2022).

Land in English is called land which has different meanings. The difference in the meaning of land depends on the aspect of the confusion in interpreting it. In the legal aspect,

land is defined as the surface of the earth, which later the right to land is the right to the earth's surface (Carbonara et al., 2020; Fameli, 2020; McNichol et al., 2015; Varsi-Rospigliosi & Barba, 2024).

Land rights are a right to control land by the state that is given to a person, a group of people, or to legal entities, both Indonesian citizens and foreigners. The holder of the land rights is given the authority to use the land or benefit from the land owned (Aluko & Amidu, 2006; Bae, 2023; Louis et al., 2020; Mesgar & Ramirez-Lovering, 2021; Nara et al., 2021). The State is authorized to determine the rights to land that may be owned by and/or granted to individuals and legal entities that meet the specified requirements. The authority is regulated in Article 4 paragraph (1) of the UUPA which states that: On the basis of the right to control from the state as referred to in article 2, it is determined that there are various rights to the surface of the earth, called land, which can be given to and owned by people either alone or together with other people and legal entities.

Regarding the various rights to land, it has been regulated in Article 16 paragraph (1) of the UUPA which states that: "The rights to land as referred to in article 4 paragraph (1) are:

1. Property rights,
2. Right to use,
3. Building-use rights,
4. Right to use,
5. Rental rights,
6. The right to open land,
7. The right to collect forest products,
8. Other rights that are not included in the above rights that will be stipulated by law as well as rights that are temporary as mentioned in Article 53.

Based on these provisions, land rights give ownership rights to land by the state to individuals or legal entities in the form of land ownership, business use rights (hereinafter referred to as HGU), building use rights (hereinafter referred to as HGB), use rights, lease rights, the right to open land, the right to collect revenue, as well as several temporary rights such as pawn rights, profit-sharing business rights, passenger rights and agricultural land lease rights.

All of the above land rights must have proof of legal ownership of the land, namely a land certificate of rights. Article 1 number 20 of Government Regulation Number 24 of 1997 concerning Land Registration, a certificate is a letter of proof of rights as referred to in Article 19 paragraph (2) letter c of the UUPA for land rights, management rights, waqf land, ownership rights to flats and dependent rights, each of which has been recorded in the relevant land book.

Article 19 of the UUPA itself stipulates that to ensure legal certainty by the Government, land registration is held throughout the territory of the Republic of Indonesia. The land registration includes soil mapping and bookkeeping measurements, registration of land rights and transfer of such rights, and Provision of Proof of Rights, which is valid as a strong means of proof.

The function of the certificate is certainly as strong evidence of land ownership, but even though having a certificate as proof of ownership of a land bag also does not mean that it

has been separated from potential land problems, one of which is the overlapping certificate of ownership of land.

The focus of this research is the existence of an Unlawful Acts Lawsuit to the Bandung District Court against two Certificates of Ownership in two plots of land (SHM No. 11620 on Land owned by Defendant I and SHM No. 656 on Land owned by Defendant II) issued by the Bandung City Land Office which according to the Plaintiff is in the wrong location, where the Certificate of Title is issued as proof of ownership for another person which according to the Plaintiff is on the part of the land inheritance owned by the plaintiff on the basis of the holder of Leter C No.190 Persil No. 89 S.VI (belonging to the Plaintiffs' grandmother)

Regarding the above conditions, the Plaintiff as the Heir of a land object filed a Lawsuit for Unlawful Acts against two Defendants who are holders of Property Rights Certificates, while the National Land Agency Cq Bandung City Land Office; Arcamanik sub-district; and Lirah Cisarenten Kulon as Co-Defendant.

Regarding the lawsuit, the Bandung District Court in Decision Number 202/Pdt.G/2023/PN Bdg essentially gave a verdict, namely declaring the Plaintiffs' lawsuit to be unacceptable in its entirety. The consideration of the Panel of Judges in the a quo decision is that the Plaintiffs' lawsuit was built on the Plaintiffs' own assumptions about the location of Persel No. 89 S IV on the land of Defendant I and Defendant II. so that it appears that the legal relationship built by the Plaintiffs with Defendant I and Defendant II is based on the assumptions of the Plaintiffs.

Considering that one of the conditions for a person to sue another party in a case must be seen in the lawsuit *posita in fact* that there is a legal relationship between the parties, not based on mere assumptions. In the absence of a legal relationship between the Plaintiffs and Defendant I and Defendant II, such a Lawsuit is qualified as a fuzzy Lawsuit (*Obscur Libel*).

Against the a quo Decision, both the Plaintiffs and Defendants I and Defendant II both filed an Appeal and against the Appeal Legal Remedies of the parties, the Bandung High Court gave Decision Number 444/PDT/2024/PT BDG which in essence canceled the Bandung District Court Decision Number 202/Pdt.G/2023/PN Bdg; and adjudicate itself, namely declaring that it rejects the Plaintiffs' Lawsuit in its entirety and granting the Defendant I's Reconciliation lawsuit, namely declaring the validity of SHM No. 11620 on the Land owned by Appellant II/Plaintiff Reconsensus/Defendant I.

The consideration of the Panel of Judges of the Bandung High Court is that the ownership of the object of dispute by the Defendants has been carried out in accordance with the correct procedure in accordance with Article 16 paragraph (1) of Law No. 5 of 1960 concerning Agrarian Principles Jo. Article 1 of PP No. 24 of 1997. Meanwhile, according to the Panel of Examining Judges, the evidence from the Plaintiffs in the form of Leter C No.190 Persil No. 89 S.VI is not proof of land ownership but only proof of tax payment as per the Supreme Court's Jurisprudence Number 023K/PDT/1992.

Based on the description related to the problem of land ownership above, there are many ways that can be done to carry out legal remedies whether the legal remedies taken are accepted or rejected by the Court. The problem is that a sense of security, tranquility and the right to enjoy land ownership can be disturbed at any time even though they have a Certificate of Ownership of the land which should be proof of legal land ownership. Moreover, if the lawsuit

filed is not based on recognized proof of ownership, namely the Certificate of Ownership, but only based on Leter C.

It is interesting because the issuance of a Certificate of Ownership is the authority of the Bandung City Land Office and through all processes that have been regulated in such a way by laws and regulations as Article 19 paragraph (2) of the UUPA which states that land registration in paragraph 1 of this article includes Measurement, mapping and land bookkeeping; Registration of land rights and transfer of such rights; Provision of letters of proof of rights, which are valid as strong evidence."

Related to the layout/location of the land plot is not the authority of the District Court but is the authority of the PTUN. Because the layout/location in question is a KTUN (beschikking) issued by the State Administrative Agency/Official, in addition to that BPN in issuing the certificate aims to ensure legal certainty for the community's rights to land.

The disruption of the sense of security, tranquility and the right to enjoy land objects from the holder of the Certificate of Ownership deserves attention because the problems brought to the legal realm (Court) not only cost but also waste a lot of time which is very detrimental to the holder of the Right of Ownership.

This study advances existing research by critically examining the judicial reasoning in land dispute cases involving alleged wrongful issuance of property certificates, specifically focusing on the Bandung High Court's Decision No. 444/PDT/2024/PT BDG. While prior works like Munir Fuady (2002) and Rosa Agustina (2003) explore unlawful acts (*onrechtmatige daad*) in civil law, this research uniquely integrates statutory analysis (UUPA and PP 24/1997) with empirical case scrutiny to highlight procedural gaps in administrative vs. judicial dispute resolution. Unlike Khudzaifah Dimiyati (2015) or Satjipto Rahardjo (2012), who theorize legal certainty, this study provides concrete evidence of how courts prioritize land certificates over informal proofs (e.g., *Leter C*), reinforcing Moegni Djojodirdjo's (1982) principles on evidentiary standards. It also identifies inefficiencies in BPN's mediation processes, a gap less emphasized in Ridwan HR's (2013) administrative law framework.

RESEARCH METHODS

This study employs a normative juridical research method to analyze a lawsuit concerning the alleged wrongful issuance of a property certificate. The research involves an in-depth examination of legal facts and utilizes three primary approaches: the statute approach, which reviews relevant laws and regulations; the conceptual approach, which interprets legal terms and theories; and the case approach, which analyzes court decisions to understand the application of legal norms in practice. The study relies on secondary data, including primary legal materials such as Indonesia's 1945 Constitution, agrarian laws, and court rulings, as well as secondary materials like theoretical literature and tertiary materials such as dictionaries.

Data collection is conducted through library research, focusing on legal documents and literature, while analysis is performed qualitatively. The findings are systematically summarized and discussed in relation to applicable provisions, using inductive reasoning to draw specific conclusions from general principles. The study aims to clarify legal ambiguities surrounding property certification and provide insights into the normative and practical dimensions of land registration disputes.

RESULTS AND DISCUSSION

Case Position

The Unlawful Acts lawsuit filed by the Plaintiffs has been filed before in 2022, but the Examining Panel of Judges received an exemption from the Defendant stating that the lawsuit from the Plaintiffs has expired, so the lawsuit cannot be accepted.

Because the lawsuit was not acceptable, the Plaintiffs through their legal representatives filed a lawsuit again with the Bandung District Court with case registration number 202/Pdt.G/2023/PN Bdg, by including the related jurisprudence that there is no time limit for inheritance issues. This argument is used by the Plaintiffs to remedy their lawsuit which is unacceptable because of expiration.

In addition to including jurisprudence related to inheritance, there is no substantial change regarding the subject matter of the lawsuit, i.e. it remains the same that the Plaintiffs feel that Defendant I and Defendant II have a Certificate of Title in the name of the Defendants on the land owned by the Plaintiffs' Grandmother as the heir on the basis of Leter C No.190 Persil No. 89 S.VI, wherein according to the Plaintiffs it is stated that the Land controlled by Defendant I and Defendant II is located Persel No. 89 S IV (owned by the Plaintiffs). The Plaintiffs) while the Plaintiffs stated that the land belonging to Defendant I and Defendant II was located in Persel No. 87.

If based on the Plaintiffs' postulations, it would have been impossible for the Bandung City Land Office to issue a Certificate of Ownership on behalf of Defendant I and Defendant II, but the process of issuing the Certificate of Title was successful because the conversion process had been carried out in accordance with the applicable rules, even Defendant I attached proof of the sale and purchase of the land which was carried out through the Sub-district Head at that time until the conversion process from customary land to a Certificate of Rights Own.

Regarding the lawsuit for Unlawful Acts filed by the Plaintiffs, Defendant I denied the postulates of the Plaintiffs, moreover in the posita of the Plaintiffs did not postulate the form of loss and the amount of loss suffered, besides that in the process of proving the Plaintiffs also could not prove the existence of a causal relationship between the loss and their actions. This can be seen from one of the considerations of the Panel of Judges which stated that between the Plaintiffs and Defendant I and Defendant II there was no legal relationship because there were no rights and obligations between the Parties that were legally entitled to each other because the posita was built based on the assumptions of the Plaintiffs

This case continued to the Appeal Level because both the Plaintiffs and Defendants I and Defendant II were dissatisfied with the Bandung District Court Decision Number 202/Pdt.G/2023/Pn Bdg which in essence stated that the Plaintiffs' Lawsuit met the qualifications of the Plaintiffs was unclear and vague (Obscuur Libel) and stated that the Plaintiffs' Lawsuit was not accepted in its entirety.

Lawsuit for unlawful acts against the issuance of property rights certificates that are suspected of being misrepresented

The high level of land problems not only makes the community uneasy, but also affects the performance of BPN as an institution whose main mission is to carry out land

administration. The disputed land must not be managed by the certificate holder or any other party. Economically, this is very detrimental because the land controlled by other parties is no longer productive.

Land cannot be used to produce goods, services, and be used as bank collateral. If the problem of certificates that are controlled by other parties but still within their right to operate is not handled properly, it can disrupt the economic balance.

The National Land Agency (BPN) as the organizer in the field of land and the body that issues the certificate certainly has responsibility for the certificate it issues. This is because the registration of land rights is considered important, because it is to ensure legal certainty and legal protection to landowners so as to create a sense of security over the land they control. In addition, it is also to prevent disturbances from parties who are not interested or have no rights.

In short, disputed land is land whose ownership is disputed by two competing parties to claim ownership of the land. These types of land dispute cases range from forged documents to illegally altered land boundaries.

Land disputes are caused by many factors or causes. These factors are very dominant in all land disputes, due to imperfect regulations, non-compliance with regulations, and lack of response from land authorities to the integrity and quantity of available land. Contains inaccurate data. Incomplete and inaccurate land data, limited resources to resolve land disputes, inaccurate land transactions, legal action of the applicant, and comparisons with other authorities. This leads to duplication of authority.

Regarding land disputes, the settlement of Land Cases is regulated in the Regulation of the Minister of Agrarian Affairs and Spatial Planning/Head of the National Land Agency Number 21 of 2020 concerning the Handling and Settlement of Land Cases ("Permen ATR/Head of BPN 21/2020") by making complaints through the complaint letter receipt counter, the complaint receipt counter directly, and through online media organized by the ministry, regional offices, Land Office.

If referring to this case, according to the author, the Plaintiffs should have taken these efforts in accordance with the Minister of ATR/Head of BPN 21/2020 and not necessarily filed a quo lawsuit to the Bandung District Court, especially in an Unlawful Act lawsuit. It is known that before the a quo lawsuit, the National Land Agency of the City of Bandung had made mediation efforts between the Reconciliation Plaintiffs/Defendants I of the Compensation and the Reconciliation Defendants/Compensation Plaintiffs, but the mediation failed because in the 3rd (third) mediation, namely on 22-10-2020, the Reconciliation Defendants/Compensation Plaintiffs were not present.

With the argument of the Plaintiffs that the land object issued by SHM on behalf of other prang is actually land owned by the Plaintiffs, it is actually more appropriate if the legal process is continued to the Bandung City Land Agency because related to the layout/location of the land plot is not the authority of the District Court but is the authority of the PTUN. Because the layout/location in question is a KTUN (beschikking) issued by the State Administrative Agency/Official.

Settlement of Land Cases is regulated in the Regulation of the Minister of Agrarian and Spatial Planning/Head of the National Land Agency Number 21 of 2020 concerning the Handling and Settlement of Land Cases ("Permen's ATR/Head of BPN 21/2020") by making

complaints through the complaint receipt counter, the complaint receipt counter directly, and through online media organized by ministries, regional offices, and land offices. Thus, the Plaintiffs should have taken these efforts in accordance with the Minister of ATR/Head of BPN 21/2020 and not necessarily filed a quo lawsuit to the Bandung District Court, especially in an Unlawful Act lawsuit.

Regarding the PMH Lawsuit filed by the Plaintiffs, in the context of Unlawful Acts (PMH), the clarity of the rights holder is very important. A rightholder is a party who has subjective rights that are violated by unlawful acts. This element is needed to determine who is entitled to claim compensation or take other legal action related to the PMH.

In this case, the status of land ownership is regulated in Law Number 5 of 1960 concerning Basic Agrarian Principles ("UUPA") jo. Government Regulation Number 24 of 1997 concerning Land Registration ("PP 24/1997"), Article 19 paragraph (2) of the UUPA which states that the registration in paragraph (1) of this article includes:

- a. measurement of land mapping and bookkeeping;
- b. registration of land rights and transfer of such rights;
- c. Provision of certificates of proof of rights, which are valid as strong means of proof."

Article 23 paragraph (1) of the UUPA mentions property rights, as well as every transfer, deletion and encumbrance with other rights must be registered according to the provisions referred to in article 19, then Article 1 number 20 PP 24/1997 also states that the certificate is a certificate of proof of rights as referred to in Article 19 paragraph (2) letter c of the UUPA for land rights, management rights, waqf land, ownership rights to flats and dependent rights, each of which has been recorded in the relevant land book.

Article 32 paragraph 1 of GR 24/1997 also states that a certificate is a valid proof of rights as a strong means of proof of physical data and juridical data contained therein, as long as the physical data and juridical data are in accordance with the data in the survey letter and the land book of rights concerned.

Based on the rules of the above articles, Defendant I and Defendant II, who are the holders of SHM on the disputed land, are the legal owners according to laws and regulations. Meanwhile, the arguments of the Plaintiffs who stated that they were the owners of the disputed object land were based on Leter C No.190 Persil No. 89 S.VI and the Certificate issued by the Village Party could not prove ownership of the disputed land, considering the Supreme Court Jurisprudence No. 0234K/PDT/1992 which stated that the village letter C book is not proof of ownership, but it is only the duty of a man to pay taxes on the land he holds."

Thus, according to the author, the consideration of the Panel of Examining Judges of the Bandung High Court which gave consideration related to the recognition of the object of dispute is the property of the Appellants III all the Plaintiffs which is based on a copy of Letter C Number: 190 Persil 89.S.IV with an area of approximately 300 da or an area of 3000m² in the name of Djumirasih located in Kelirahan Cisaranten Kulon, Arcamanik District, Bandung City after the Panel of Judges of the Appeal Level by paying attention to the evidence in the form of letters and witness statements from Appellants III all Plaintiffs, the Panel of Appellate Judges concluded that "Appellants III are all Plaintiffs as heirs of Almh. Djumirasih and Alm. Suryadinata based on the Determination of Heirs Number. 416/Pdt.P/2015/PA. Cmi dated April 30, 2015 owns customary land based on Leter C number 190 in the name of Djumirasih

with Persil Number 89 S.IV...", that against Leter C number 190 in the name of Djumirasih with Persil Number 89 S.IV, the Panel of Judges of the Appellate Court considered that the evidence of Leter C was not proof of land ownership but only proof of tax payment. This is in line with the Supreme Court Jurisprudence Number 023K/PDT/1992, namely that the Village Letter C book is not a proof of ownership, so based on this explanation that the Letter C book is not evidence of land ownership. Proof of legal land ownership is the Certificate of Ownership as stipulated in Article 4 paragraph (1) Jo. Article 3 letter a of Government Regulation Number 24 of 1997 concerning Land Registration.

Furthermore, on the other hand, against the object in casu, the Defendants and the Co-Defendants in the Answer, Memorandum of Appeal and Counter Memorandum of Appeal from Appellant II/Appellant I, originally Defendant II/Plaintiff Reconvension, Appellant I/Defendant I declared as the owner on the basis of having a Certificate of Property Rights Number 11620/Cisaranten Kulon Village with a survey letter dated 9-9-2019 number 02634/Cisaranten Kulon/2019 An area of 587 m² was recorded in the name of Ir. Zulkipli Usman, and Certificate of Property Rights Number 656, Cisaranten Kulon Village in the name of E. Suningsih/Appellant II, originally Defendant II, on the evidence of the Defendants and Co-Defendants, the Panel of Judges at the Appellate Level was of the opinion that all the evidence of the letter submitted was also in accordance with the testimony of the witness.

Furthermore, the Panel of Judges at the Appellate Level concluded that the ownership of the object of dispute by the Defendants had been carried out in accordance with the procedure in accordance with Article 16 paragraph (1) of Law Number 5 of 1960 concerning the Basic Regulations of Agrarian Principles jo. Article 1 of Government Regulation Number 24 of 1997 concerning Land Registration..., therefore the Panel of Judges at the Appellate Level is of the opinion that Appellant I/Appellant II originally Defendant II, Appellant II/Appellant I originally Defendant I/Reconvension Plaintiff can prove to be the owner of the object of dispute legally according to the law, namely SHM Number 11620 which is located in Cisaranten KULom Village, Arcamanik District, Bandung City as the owner is Defendant I, for the Certificate of Property Rights Number 656, Cisaranten Kulon Village the owner is Defendant II, therefore the ownership of the object of dispute by Defendant I and Defendant II is not an unlawful act and detrimental to the Plaintiffs, thus the Plaintiffs' lawsuit must be rejected.

The researcher argues that the legal considerations of the Panel of Judges of the Appellate Level in considering the Lawsuit for Unlawful Acts from the Plaintiffs are very appropriate, where a civil Unlawful Act is an act or not doing something that causes harm to another person without previously having a legal relationship, which obligation is directed to everyone in general and by not fulfilling his obligations can be requested for compensation.

In the context of civil law, Unlawful Acts are known as *onrechtmatige daad*. As stipulated in Article 1365 of the Civil Code, Unlawful Acts are Every act that violates the law and brings harm to others, obliges the person who caused the loss due to his fault to replace the loss.

Based on the description above, the elements of civil unlawful acts include unlawful acts, the existence of errors, the existence of cause and effect between losses and acts, and the

existence of losses. Furthermore, in determining that an act can be qualified as unlawful, 4 conditions are required as follows:

- a. contrary to the legal obligations of the perpetrator;
- b. contrary to the subjective rights of others;
- c. contrary to morality; and
- d. Contrary to propriety, thoroughness and prudence.

Based on the above description, a person can only declare that his rights have been violated when the person can prove the ownership rights over the object in dispute, in this case the proof of ownership of an object on land is the possession of the Certificate of Ownership as stated in Article 23 paragraph (1) of the UUPA mentions property rights, as well as any transfer, deletion and encumbrance of other rights must be registered in accordance with the provisions referred to in article 19, Furthermore, Article 1 number 20 of PP 24/1997 also states that a certificate is a certificate of proof of rights as referred to in Article 19 paragraph (2) letter c of the UUPA for land rights, management rights, waqf land, ownership rights over flats and dependent rights, each of which has been recorded in the relevant land book.

Meanwhile, the Plaintiffs in the trial could not prove proof of ownership of the object of dispute because the proof of ownership of the land (object of dispute) was a Certificate of Title and those who owned the SHM of the object of dispute were Defendant I and Defendant II, so it is very appropriate if the Panel of Judges at the Appellate Level considers that there is no clear causal relationship between the unlawful act and the loss incurred, because Defendant I and Defendant II do have the right to control and utilize the object of the dispute.

Thus, before filing an Unlawful Acts Lawsuit to the Court, if the Plaintiffs feel that the issuance of SHM is the wrong object, the Plaintiffs must first resolve the problem to the Bandung City BPN because the layout/location in question is a State Administrative Decree (beschikking) issued by the State Administrative Agency/Officer (hereinafter referred to as "KTUN"). As KTUN according to Article 1 number 3 of Law No. 5 of 1986 jo. Law No. 9 of 2004, is a written determination issued by a State Administrative Agency or Officer based on the applicable laws and regulations that are concrete, individual, final, which causes legal consequences for a Person or Civil Law Entity. Thus, the Plaintiffs should file an objection to BPN or file a lawsuit with the PTUN,

BPN in issuing certificates aims to ensure legal certainty for the community's rights to land, as contained in Article 19 paragraph (2) of the Basic Agrarian Law, namely: "(2) Land registration in paragraph 1 of this article includes:

- a. Measurement, mapping and land bookkeeping;
- b. Registration of land rights and transfer of such rights;
- c. Provision of letters of proof of rights, which are valid as strong evidence."

Thus, Defendant I and Defendant II have property rights based on the applicable provisions so that the Plaintiffs should file an objection to BPN or file a lawsuit with the PTUN instead of filing a PMH Lawsuit to the District Court.

CONCLUSION

The appellate court rightly upheld that an unlawful acts claim requires proof of ownership through land certificates (as mandated by the UUPA and PP 24/1997), emphasizing that disputes over wrongful land titles must first be resolved administratively with the BPN before litigation. Future research should examine the efficiency of BPN's dispute resolution mechanisms—assessing delays, compliance, and case backlogs—and conduct comparative studies on judicial interpretations of unlawful acts in land disputes to improve legal clarity and coordination between administrative and judicial processes, ensuring stronger legal certainty in property conflicts.

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