

TESIS
PENYELESAIAN SENGKETA PERTANAHAN MELALUI PROSES MEDIASI DI
KANTOR PERTANAHAN KOTA BUKITTINGGI



PROGRAM MAGISTER KENOTARIATAN
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ABSTRAK

PENYELESAIAN SENGKETA PERTANAHAN MELALUI PROSES MEDIASI DI KANTOR PERTANAHAN KOTA BUKITTINGGI

**Adityawarman, 2220122039, 109, Program Studi Magister Kenotariatan Fakultas Hukum
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Pada penerbitan Sertipikat Tanah melalui program Pendaftaran Tanah Sistematis Lengkap (PTSL) ada tahap proses pengukuran tanah yang dilakukan petugas ukur di kantor pertanahan Kota Bukittinggi, proses pengukuran tanah merupakan proses dari tahapan-tahapan pada dasarnya terjadi sengketa atas kepemilikan hak atas tanah, masyarakat keberatan atas proses penerbitan Sertipikat baik itu dalam pendaftaran tanah pertama kali (rutin) atau Pendaftaran Tanah Sistematis Lengkap (PTSL), karena masyarakat lainnya yang keberatan merasa ada hak mereka yang diambil, dalam proses penerbitan sertipikat tersebut dalam aturan bahwa pihak yang keberatan merasa haknya yang terganggu, hak itu berupa kepemilikan atas objek tersebut atau bersinggungan dengan batas-batas tanah tersebut. Hal ini menjadi dasar Penulis melakukan penelitian ini. Rumusan masalah dalam penelitian ini yaitu 1. Apa saja faktor Penyebab Terjadinya Sengketa Tanah di Kota Bukittinggi? 2. Bagaimana proses Penyelesaian Sengketa Tanah di Kantor Pertanahan Kota Bukittinggi? 3. Apa saja Norma yang dijadikan landasan untuk penyelesaian Sengketa di Kantor Pertanahan Kota Bukittinggi?, Tipe penelitian yang penulis gunakan yaitu Yuridis Empiris, dengan lokasi penelitian di Kantor Pertanahan Ka Bukittinggi, Hasil dari penelitian menyebutkan faktor yang mendasari terjadinya sengketa 1).Kurangnya kesadaran hukum: Kurangnya pengetahuan dan kesadaran hukum di kalangan masyarakat dapat menyebabkan sengketa pertanahan. 2).Kurangnya dokumentasi: Kurangnya dokumentasi yang lengkap dan akurat tentang hak-hak atas tanah dapat menyebabkan sengketa. 3).Kurangnya komunikasi: Kurangnya komunikasi yang efektif antara pihak-pihak yang terkait dapat menyebabkan kesalahpahaman dan sengketa. Norma yang dijadikan landasan untuk penyelesaian Sengketa di Kantor Pertanahan Kota Bukittinggi, Dalam Peraturan Menteri Agraria dan Tata Ruang/Kepala Badan Pertanahan Nasional Nomor 21 Tahun 2021 Tentang Penanganan dan Penyelesaian Kasus Pertanahan tersebut dijelaskan beberapa aturan dasar penting mengenai prosedur penanganan dan penyelesaian kasus pertanahan

Kata Kunci : Sengketa Pertanahan, Kantor Pertanahan, Mediasi

ABSTRACT

LAND DISPUTE RESOLUTION THROUGH THE MEDIATION PROCESS AT THE LAND OFFICE OF BUKITTINGGI CITY

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In the issuance of Land Certificates through the Complete Systematic Land Registration (PTSL) program, there is a stage of the land measurement process carried out by surveyors at the Bukittinggi City Land Office, the land measurement process is a process of stages that basically occur in disputes over ownership of land rights, the community objects to the process of issuing Certificates both in the first land registration (routine) or Complete Systematic Land Registration (PTSL), because other people who object feel that their rights have been taken, in the process of issuing the certificate in the rules that the party who objects feels that their rights are being disturbed, the rights are in the form of ownership of the object or intersect with the boundaries of the land. This is the basis for the Author to conduct this research. The formulation of the problem in this study is 1. What are the factors that cause disputes in the process of issuing land title certificates through the Complete Systematic Land Registration (PTSL) at the Bukittinggi City Land Office? 2. How is the process of resolving disputes in the issuance of land title certificates through the Complete Systematic Land Registration (PTSL) at the Bukittinggi City Land Office? 3. What are the norms used as the basis for resolving disputes at the Bukittinggi City Land Office? The type of research used by the author is Empirical Jurisprudence, with the research location at the Bukittinggi City Land Office, The results of the study Mention the factors underlying the occurrence of defense 1). Lack of legal awareness: Lack of legal knowledge and awareness among the community can cause land disputes. 2). Lack of documentation: Lack of complete and accurate documentation of land rights can cause preservation. 3). Lack of communication: Lack of effective communication between the parties involved can lead to misunderstandings and disputes. The norms used as the basis for resolving disputes at the Bukittinggi City Land Office, in the Regulation of the Minister of Agrarian Affairs and Spatial Planning/Head of the National Land Agency Number 21 of 2021 concerning the Handling and Settlement of Land Cases, several important basic rules are explained regarding the procedures for handling and resolving land cases.

Keywords: Land Dispute, Land Office, Mediation